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# THE BERKELEY MASTER PLAN HOUSING ELEMENT

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HOUSING ELEMENT  
TABLE OF CONTENTS

	<u>Page</u>
EXECUTIVE SUMMARY.....	ii
Chapter I INTRODUCTION.....	I-1
Chapter II PROBLEM ANALYSIS.....	II-1
Chapter III EXISTING AND PROJECTED HOUSING NEEDS.....	III-1
Chapter IV RESOURCES AND CONSTRAINTS.....	IV-1
Chapter V GOALS AND POLICIES.....	V-1
Chapter VI IMPLEMENTATION PROGRAM.....	VI-1
APPENDICES	
<u>1983 Housing Element Studies.....</u>	<u>A-1</u>
<u>1980 Census Population and Housing,</u> <u>Berkeley, California.....</u>	<u>B-1</u>
<u>Housing Needs Determinations, San Francisco</u> <u>Bay Region (ABAG).....</u>	<u>C-1</u>
<u>Student Housing and Transportation Survey,</u> <u>UC, 1982.....</u>	<u>D-1</u>
<u>Housing Assistance Plan 1982-85,</u> <u>City of Berkeley.....</u>	<u>E-1</u>

NOTES: Appendices not reproduced in Revised Draft--See Draft Housing Element.  
Changed wording and additions from Draft Housing Element underlined.

## EXECUTIVE SUMMARY

### Introduction

The lack of suitable, affordable and available rental and owner housing threatens Berkeley's basic goal of preserving "the unique character of Berkeley which results from its extraordinary natural and man-made amenities from its diverse population of persons of all ages and a wide variety of income levels, racial and ethnic groups and lifestyles."

In 1984 Berkeley's housing goal for its residents of decent and affordable housing in pleasant neighborhoods remains illusive. Between 1970 and 1980 Berkeley saw a 24% drop in its Black population and a 17% drop in the number of families with children. In 1980 over 32% of all Berkeley households paid over 35% of their incomes for housing. These conditions demonstrate how challenging housing needs are for a City committed to maintaining its diversity of families, races, age groups, incomes and life styles.

Berkeley adopted its first Housing Element in 1977. It is now time to reassess the City's needs and resources, evaluate progress in meeting previous goals and design a new five year program for the 1980's.

### Problem Analysis

The housing problems in Berkeley are essentially the same as those found in 1977. What has changed is the magnitude of these problems and the social and economic context in which they occur.

An integral part of Berkeley's unique character is its diverse population. To perpetuate this diversity, affordable housing must be available for those who live here now and those who choose or need to live here in the future. Regional growth has increased the demand for Berkeley housing. Its already low vacancy rate declined 30% between 1970 and 1980 to 2.4%. At the same time, all housing costs -- for land, construction, utilities, interest and rent -- are rising throughout the region. This combination of high demand and rising costs make it increasingly difficult for low and moderate income households to live here. The result between 1970 and 1980 has been a reduction in the number of low and moderate income families and a 40% drop in moderate income Black families. Of households with incomes under \$10,000 per year, almost 80% of renter households and 75% of owner households pay more than 35% of their income for housing.

With little undeveloped land, Berkeley must rely on its existing housing to meet most needs. Maintenance of this housing is essential. Berkeley, between 1970 and 1980, reduced its substandard housing by one-third. Still, more than 2000 substandard units remain; these units are occupied by over 7,000 persons with an average household size of 4.4 in overcrowded units (3.2 in all occupied substandard units). Estimates of rehabilitation needs indicate that the number of standard units in need of repair exceeds the number of substandard



units. At current rates, units are deteriorating more rapidly than they are being rehabilitated; 475 units are being added to the stock of deteriorated housing each year.

With the high demand for housing, some expansion of the housing stock is essential to increase the vacancy rate and to accomodate some of the region's growth. Vacant parcels in the hill areas are becoming scarcer and more costly to develop. Residential neighborhoods need protection from inappropriate development. Some opportunities do exist on surplus publicly owned sites and sites suitable for housing mixed use development in commercial areas. Finally, some locations may be able to accomodate additional units on already developed housing sites.

Berkeley has various populations with special needs. The loss of low and moderate income Black families must be stopped. The elderly who comprise over 10% of the population often have low income and physical limitations that inhibit their ability to find and maintain housing. Common problems are faced by the disabled who may also need housing designed to accommodate their limitations. Berkeley, like the region, has experienced a growth in single-parent households. These households are hard pressed in a time when two incomes are the norm to find affordable housing that accommodates the needs of children and is accessible to schools, child care, employment and recreation. An ongoing, and growing, demand for housing comes from the student population at the Univeristy of California which has reached 31,000. Students are typically single, want to live near the campus and live in Berkeley for a relatively short period of time. This group still must rely on the private market (in Berkeley and neighboring communities) for most housing. Discrimination continues to be a problem. While Berkeley has aggressively worked to support equal access to housing, statistics demonstrate that some groups are finding it increasingly difficult to obtain housing here.

Berkeley remains committed to public participation in housing decisions. This commitment is based upon the belief that those who need and occupy housing are uniquely sensitive to the potential effects of policies, programs and projects on their housing needs and neighborhoods. To inform residents of issues under discussion and to get effective participation at the time policies and standards are being developed is a difficult goal to realize.

#### Existing and Projected Housing Needs

Berkeley's greatest need is for affordable housing. 42% of Berkeley's renters (about 11,700 households) and 13% of its homeowners (2,200) pay more than 35% of their income for shelter. The next major need is for sound housing. Berkeley's housing must be continually maintained if it is expected to meet present and future needs. The City estimates that 16,835 units are in need of rehabilitation. If current levels of rehabilitation are not accelerated, the number could increase. On-going maintenance is cost-effective and supports the objective of affordable housing.



Berkeley needs to expand its housing stock for two reasons. First, the City's low vacancy rate is driving up costs, discouraging needed maintenance and inhibiting the ability of residents and persons who need to live here from finding housing that meets current needs. Second, Berkeley needs to accommodate its share of regional growth. The Association of Bay Area Governments recognizes the constraints on Berkeley's ability to build new housing and its allocation of 1611 units between 1980 and 1990 is correspondingly modest, but essential.

Finally, there are individuals and households with special needs. For example, many of Berkeley's 11,132 elderly have limited mobility and many need units for the disabled. In addition Berkeley has an estimated 1,500 physically disabled younger persons. Single parent households (3,584) need a combination of adequate space, convenient schools and public facilities, transportation to work locations and reliable affordable child care. Students need proximity to campus and low cost. Their high level of mobility further complicates their housing problems.

#### Resources and Constraints

A variety of factors affect the capacity of the private market, City of Berkeley and other public agencies to meet Berkeley's housing needs, separately or cooperatively. Constraints include:

- Berkeley's low vacancy rate
- The large number of lower income households
- The small number of sites for additional housing
- Relatively high density in many residential areas and a number of environmentally sensitive areas which inhibit the acceptability of additional units in developed neighborhoods
- High prices throughout the region in conjunction with chronic high interest rates
- Diminishing federal and state financial support for housing programs
- Increasing enrollment at the University of California

Resources include:

- Extensive experience in housing programs and a capacity to explore and test innovative approaches
- Regulations which protect the quality of Berkeley neighborhoods and their historic resources and promote energy efficiency

- Controls on rent, condominium conversion and demolition to keep rental housing available and affordable
- Protection against discrimination and services to help persons assert their rights
- Infrastructure to accomodate some growth of Berkeley's residential areas

### Goals and Policies

Based upon the overall goals of the Master Plan, analysis of housing problems and in the context of identified goals and constraints, the following goals are established:

1. Berkeley residents should have access to decent housing in pleasant neighborhoods which meet standards of adequacy at a range of prices they can afford.
2. Existing housing should be maintained, improved and fully utilized.
3. New housing, developed in accordance with density and environmental standards, should be developed to expand housing opportunities in Berkeley.
4. Berkeley should have an adequate supply of housing throughout the City for persons with special needs.
5. Without causing or increasing housing problems for other Berkeley residents, the University and other institutions should take responsibility for housing demands they generate which create additional pressure on the private housing market.
6. All residents should have equal access to housing opportunities, finance, and insurance on a non-discriminatory basis.
7. Berkeley should expand the role of neighborhood residents and community organizations in the planning process, including planning for housing conservation and development.

### Implementation Program

To meet the challenge of Berkeley's housing needs requires a comprehensive array of housing strategies to support, complement and coordinate with the private market. They are grouped according to the problem they most directly address.



#### Housing Affordability Strategies:

- Section 8 rent subsidies
- Rent Stabilization and Eviction Control
- Energy Conservation Programs
- Encouragement of Limited Equity Cooperatives

#### Housing Maintenance Strategies:

- Regulatory measures to control residential demolitions, conversions to non-residential use and condominium conversions
- Rehabilitation assistance
- Code Enforcement
- Technical Assistance for Self-help Rehabilitation
- Landmarks Preservation
- Below market rehabilitation loans

#### Special Needs:

- Expanded family assistance for Black families
- Rehabilitation assistance for the elderly and disabled
- Financial and technical assistance to make units accessible to the disabled
- Rents supports for the disabled
- Emergency shelter
- Housing services including relocation, public information, etc.
- University operated single and married student housing.
- Private (ASUC, fraternities, sororities) organized student housing

#### Expansion of the Housing Stock:

- Technical and financial assistance to affordable housing projects
- Identification and provision of surplus public sites for housing



- Mortgage revenue bonds to finance affordable housing
- Review of regulatory ordinances and fees

Equal Access to Housing Opportunities:

- Provision of information and referral on rights and their exercise
- Enforcement of City's Ordinance prohibiting discrimination against families with children

Public Participation in Housing Decision Making:

- Public Review of Policy Development
- Neighborhood Review of significant projects

## CHAPTER I INTRODUCTION

	<u>Page</u>
Housing in 1984.....	I-2
Berkeley's Historical Role in Housing.....	I-2
Development of the 1977 Housing Element.....	I-3
1984 Housing Element Update.....	I-4
Assumptions.....	I-5
Plan Realization.....	I-5



## INTRODUCTION

### Housing in 1984

In 1984 Berkeley's housing goal for its residents of decent and affordable housing in pleasant neighborhoods remains illusive. Low and moderate income households must compete in a market characterized by few vacancies, two income families, high interest rates and older buildings in need of repair and rehabilitation.

Since enactment of its Housing Element, Berkeley has aggressively moved to maintain and expand its affordable housing. Still between 1970 and 1980 Berkeley saw a 24% drop in its Black population and a 17% drop in the number of families with children; in 1980 over 32% of all Berkeley households paid over 35% of their incomes for housing.

These conditions demonstrate how challenging the housing needs are for a City committed to maintaining its population diversity of families, races and nationalities, age groups, income and life styles. Effective programs must be expanded; new approaches must be pursued and tested. This must be done when public resources at all levels are limited.

The purpose of this revised Housing Element is to meet this challenge by analyzing current problems, measuring housing needs, identifying the constraints and opportunities that affect housing, refining the housing goals and policies adopted in 1977 to reflect these findings and recommending a feasible program to policies and programs which can collectively improve Berkeley's ability to serve its diverse needs.

### Berkeley's Historical Role in Housing

Berkeley's involvement in programs to improve its housing dates back to the mid-fifties. Activities have included the Health and Safety Committee which held hearings on complaints regarding violations and property repairs; the 1967 concentrated code enforcement effort in the South Campus area; the San Pablo Federally Assisted Code Enforcement Program started in 1968; the Berkeley Model Cities Rehabilitation Program of 1973; and the Pilot Rehabilitation Program of 1975. On-going programs of code development and administration, housing rehabilitation, multi-unit rental building inspections, code enforcement and FHA and Cal-Vet pre-sale inspections continue.

Other activities with direct relationships to housing programs include the Berkeley Housing Authority's leased housing program for low income households; the Redevelopment Agency's Sava Island Redevelopment Project which produced the City's first 57 unit limited equity cooperative; the University's student housing and housing services; housing services provided by public and private agencies; and the enactment of the City's first Housing Element.

In January of 1974, the City Council determined that "housing conservation is an appropriate general municipal function for the City of Berkeley and the City should take steps to assume continuing responsibilities in this regard." To set this policy in motion, funds were appropriated to carry out a pilot rehabilitation finance project; concurrently, a task force was charged with preparing a comprehensive housing conservation program. In 1975 Berkeley's application for Community Development funding allotted approximately one-half of its first year grant of \$2.8 million to housing conservation programs. In May of 1975 the newly organized Housing and Development Department began operation with expanded responsibilities for housing programs.

#### Development of the 1977 Housing Element

The State of California recognized the need for housing planning when it added Housing as a required Element for Master Plans. The Berkeley Planning Commission initiated work on a Housing Element in 1972 by naming housing as its highest priority. The purposes of the Element were to:

- a) increase recognition of housing problems and needs;
- b) provide a benchmark from which progress on housing can be measured;
- c) set forth policies to guide programs that most effectively address the housing needs of all economic segments of the population;
- d) facilitate coordination between various agencies and cities and to relate housing to other City goals and policies; and
- e) propose a coordinated program to meet short- and long-range objectives.

The Housing Element defines and articulates the role the City of Berkeley can and should perform in the area of housing. The Element establishes long-range housing goals and policies, identifies constraints and delineates a coordinated implementation program of housing activities to be undertaken by the City of Berkeley.

If Berkeley is to reach its housing goals, the full cooperation of the private sector and all levels of government will be required. The Housing Element recognizes this in relating its programs to those of private individuals and organizations, public and non-profit institutions and other public agencies.

As part of the Master Plan, housing policies can be related to policies on land use, transportation, open space, seismic safety, noise and citizen participation. Concurrently, the Element is a broad framework into which specific programs addressing housing conservation, historic preservation, University related housing, housing finance, the development of new housing and housing services can be integrated. The Element can also be used to measure the extent to which private and public actions are achieving City



goals and responding to the community priorities expressed in policy statements.

#### 1984 Housing Element Update

It is now seven years since the adoption of the Housing Element of the Berkeley Master Plan. It is therefore time to reassess the City's needs and resources, evaluate progress in meeting prior goals, and design a new five-year program. The 1977 Housing Element indicates that periodic review and revision will be undertaken to change outdated policies and goals, if needed.

Assembly Bill 2853 was passed by the California State Legislature in 1980 and was incorporated into the Government Code as an amendment to the local government planning requirements. In that act, the Legislature determined that:

- a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order.
- b) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.
- c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.
- d) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.
- e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs. 1/

The Legislature explicitly recognized that "each locality is best capable of determining what efforts are required by it to contribute to the attainment of the state housing goal, provided such a determination is compatible with the

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1/Section 65580, Art. 10.6, Chapter 3, Division 1, Title 7 of the Government Code.

state housing goal and regional housing needs." 2/ The Legislature further recognized that "...the total housing needs identified ... may exceed available resources and the community's ability to satisfy this need.... Under the circumstances, the quantified objectives need not be identical to the identified existing housing needs, but should establish the maximum number of housing units that can be constructed, rehabilitated and conserved over a five-year time frame." 3/

### Assumptions

A wide variety of forces affect housing supply and demand. The supply side is affected by the cost and availability of sites (locally and regionally), interest rates, government incentives and assistance, and construction costs. Demand is affected by changes in land use and employment patterns, transportation facilities and services, community services and amenities, and economic cycles of growth and recession. In addition to these outside forces, the City is currently developing policy and plans which will affect housing in Berkeley. Major planning efforts are underway for the Central Business District, the Waterfront and South Berkeley.

As external variables change and local policies are developed and implemented, changes to the Housing Element policies and programs will be required. This initial revision to the 1977 Housing Element is based upon the following assumptions:

1. The private housing market will continue to develop, maintain, exchange and finance most Berkeley housing to meet the needs of present and future residents.
2. Where needs are not met by the free market, local commitment to policies, programs and regulations which preserve housing, make units affordable to low and moderate income households and address needs of special groups will continue.
3. The character of land use and employment patterns will not change significantly between 1980 and 1990.
4. Federal and State housing incentive and assistance programs will continue at current levels to supplement local resources.

### Plan Realization

Berkeley's housing goals envision a community of diversity. To the extent that the City meets its goals, it will provide housing for people of many

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2/Section 65581, op. cit.

3/Section 65583, op. cit.



backgrounds, races, ethnic identities, ages, and incomes, a variety of family and household arrangements, and a wide range of abilities and disabilities. This population will be sheltered in Berkeley's mostly older housing which would be well maintained and supplemented with some new additions.

These goals have not changed significantly since 1977, when Berkeley adopted its first Housing Element. Since that time, Berkeley has gained more experience with housing programs designed to move housing conditions closer to these goals. Programs emphasizing conservation of existing housing have involved owners, tenants, financial institutions, Federal and State agencies, neighborhood and nonprofit organizations as well as the City of Berkeley. Private developers, non-profits and the City itself have constructed new housing, available to residents ranging from high to very low income. The City has, in addition, taken an active role in protecting the availability of housing with programs to stabilize rents, control evictions, prohibit discrimination, and to prevent loss of the housing stock through conversion, demolition and consolidation.

Such programs have enabled Berkeley to approach, if not achieve, its housing goals since 1977. Information gathered for this update of the Housing Element suggests that these goals will be no less elusive for the next five years. The 1980 census reflects that Berkeley is losing families, is losing its Black population and has many people who pay a high proportion of income for housing. Deteriorating housing is a significant problem, while vacant land for new housing is very limited. Land, building and finance costs continue to rise.

In 1984, it is very unclear what resources the City will have to support programmatic responses to these problems. Federal support for new construction has been discontinued; provisions in the federal tax code that encouraged housing for low and moderate income people are being eliminated; the financial ability of cities to support housing and related activities with local funds is severely eroded; the high inflation of the recent past has created a present climate of uncertainty and continuing high interest rates; the price of first-time home ownership has risen beyond the reach of most of the population.

Despite the uncertainties, Berkeley must still plan for the years ahead. It is important, in the process, to distinguish between desired programs and those, given the currently severe financial limitations, that the City can realistically pursue in the context of the problems and goals they address. A simple overview can be gained by examining this information according to six major interacting problem areas: housing affordability, maintenance of existing housing, expansion of the housing stock, the needs of special groups, equal access to housing opportunities and public participation in housing decisions.

To meet the objective of "decent housing and a suitable living environment for every family" will require commitment and cooperation from citizens, the private sector and all levels of government. A broad range of activities is

needed to respond effectively to the variety of problems and the ever changing context in which they occur.



## CHAPTER II. PROBLEM ANALYSIS

	<u>Page</u>
Introduction.....	II-2
Housing Affordability.....	II-2
Maintenance of Existing Housing.....	II-4
Expansion of the Housing Supply.....	II-4
Special Needs.....	II-5
1. Elderly.....	II-5
2. Physically Handicapped.....	II-6
3. Single Parent Households.....	II-6
4. University of California Housing Needs.....	II-7
Equal Access to Housing Opportunities.....	II-8
Public Participation in Housing Decision Making.....	II-9

## PROBLEM ANALYSIS

### INTRODUCTION

Private individuals and organizations have historically financed, produced, distributed and managed most housing. Government's role was to support private commercial and residential development with streets, utilities, schools, safety and health services and recreational opportunities. This system has and still does meet most housing needs.

Government foregoes billions of dollars in potential tax income through its exclusions and incentives. Home ownership is assisted through homeownership deductions for interest and tax payments, reduced taxes on capital gains at the time of sale and the one time exclusion of capital gains on the sale of homes by senior citizens. Investors in rental properties enjoy accelerated depreciation.

Government resources and powers in the 20th century are being used to address those housing problems that have not been met by the private market. This began with planning and enforcement of buildings and land use standards. During the 1930's, severe economic problems led to the introduction of public housing, FHA loan insurance and public support land use planning. Following World War II, these activities were expanded and supplemented with increasingly sophisticated programs to support urban renewal, subsidize housing costs, meet housing needs of specific groups, encourage maintenance of the existing housing stock and keep private housing affordable and available on a non-discriminatory basis.

Government in most cases acts as a partner of the private market rather than a substitute for it. In a variety of roles government at all levels has intervened to serve needs not met by the unassisted private market.

This chapter will analyze qualitatively and quantitatively current problems in order to measure existing and future needs and determine how they can best be met. Appendix A contains a comprehensive report on population, household, employment and income characteristics and trends utilized in these analyses.

### HOUSING AFFORDABILITY

An integral part of Berkeley's unique character is its diverse population -- including a wide range of income levels, racial and ethnic groups, lifestyles, and ages. To perpetuate this character, diverse populations must be able to afford to obtain and maintain housing in Berkeley. This affordability is affected by several factors.

First, Berkeley's housing market is an integral part of the San Francisco region. Of 51,000 employed Berkeley residents 55% work outside the City. 1/ Conversely, only 40% of jobs in Berkeley are held by local residents. With its convenient location, centers of employment (especially the University)



attractive neighborhoods and basically sound housing stock, Berkeley is attractive as a residential community to meet housing needs for the growing employment in San Francisco and Oakland. The already low vacancy rate for rentals dropped 30% between 1970 and 1980 to 2.4%. 2/

A second factor is the rising cost of housing throughout the region. Increases in price, rent, interest rates, utilities and maintenance have occurred. Berkeley's low income residents are hard pressed to stay in Berkeley and potential low and moderate income households find it increasingly difficult to locate here. In the ten years between 1970 and 1980, the number of low and moderate income families decreased by 28% with the greatest percentage loss in moderate income Black families (40%). 3/ Those here face constant cost pressures. Of households with incomes under \$10,000 per year, almost 80% of renter households and 75% of owner households pay more than 35% of their income for housing. 4/

Historically, communities relied on "filtering" to meet the needs of lower income households. Filtering assumes higher income households will move up to better housing, leaving smaller, older homes and apartments for lower income persons. This filtering is inhibited by a number of factors, including:

- new home prices and high mortgage rates price this housing out of reach of most households in the region.
- the supply of rental housing is not keeping up with demand regionally, reducing vacancy rates and increasing the competition (and price) for existing rental housing.
- a growing number of smaller households (often with two employed persons) are attracted to conveniently located older housing in attractive established neighborhoods.
- homeowners with low interest loans from the 1960's and 1970's cannot afford to move.

Finally, economic development in the City may intensify the demand for housing here and its cost. Already, several new buildings have been constructed in the Central Districts. Other projects there, in South Berkeley, and in West Berkeley have been proposed. Current comprehensive planning for downtown and

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1 Appendix A, Table 1.4.

2/ Appendix A, Table 3.1.

3/ Appendix A, Page A-11.

4/ Appendix B, page B-13.

the waterfront is considering the housing demands new development will produce and opportunities the developments provide to meet new and existing needs.

#### MAINTENANCE OF THE HOUSING STOCK

Berkeley's greatest housing resource is its existing housing stock. Though largely constructed before World War II, most is of sound construction and has received reasonable maintenance. Using the standard measures of housing condition, overcrowding and lack of plumbing facilities, Berkeley between 1970 and 1980 reduced its substandard housing stock by one-third. Still, more than 2000 substandard units remained in the City in 1980. Of these, approximately 20% are owner-occupied, 5% are vacant and 75% are renter occupied. Over 7,000 people live in these substandard units at an average density of almost 4.4 persons per dwelling unit. 5/

The number of units in need of repair, however, exceeds the number of substandard units. The City's Housing Assistance Plan (prepared as part of its Community Development Block Grant program) maintains estimates of rehabilitation needs. The Plan estimates there were 18,133 units in need of rehabilitation in 1980. 6/ The Plan further estimates that 1475 units become in need of repair each year. Only an estimated 1000 permits are issued each year to bring these units up to Code. Continuation of this pattern would add 475 units to the stock of deteriorating housing each year. 7/

#### EXPANSION OF THE HOUSING SUPPLY

Berkeley needs additional units to meet existing needs and future growth, in Berkeley and the region. The City has been built out since before World War II.

Since then, most construction has been multi-family buildings in Central Berkeley and the flatlands. The extent and often marginal quality of this development led in the 1960's and 1970's to actions to protect the quality of Berkeley's neighborhoods. Rezonings limited the extent of new construction allowed; revisions to the Zoning Ordinance mandated improved quality in new apartments and public review of all proposed residential construction.

Concurrently, remaining vacant land in the Hill has been developed with single family homes. As the number of easily buildable lots declines and the costs for lots and construction increase, prices of new single family homes move out of the range of all but high income households.

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5/ Appendix A, Table 3.6.

6/ Appendix E, Table 1.

7/ Appendix E, Page E-7.



With increasing needs for affordable housing, City regulations and programs have given priority to use of remaining flat sites for affordable new housing. In addition to the few vacant sites, opportunities exist for new housing on underutilized sites in commercial and manufacturing areas, in combined mixed use buildings in the Central District and elsewhere, on portions of the abandoned Santa Fe right-of-way and on University of California sites (primarily in the campus area). Opportunities to add units to existing residential sites also exist in some locations.

## SPECIAL NEEDS

### Black Families

Fundamental to Berkeley's character is its Black population. Drawn here by job opportunities in World War II, it has grown and participated in all elements of Berkeley's life -- economic, cultural, social and political. It has been characterized by diversity of ages, incomes, lifestyles and occupations. The core of this population has been the Black family which raises its children here, lends continuity and leadership to its neighborhoods and the City as a whole and plans for a well-earned retirement here.

The 1980's saw a dramatic drop in this population -- in total numbers (6651) and as a percent of the 1970 Black population (25%). Even more dramatic was the loss of moderate income Black families (40%). 8/ If this trend is to be arrested and reversed, the special needs of this community for affordable ownership housing, job opportunities, education and recreation must be addressed.

### Elderly

Berkeley's elderly population has been declining, both in number of elderly and as a percent of the City's total residents from 11.3% in 1970 to 10.8% in 1980. At the same time, an increasing number of elderly persons are minorities; 26% of Berkeley's elderly are Black, while only 20% of the total population is Black. Elderly (aged 65 and over) include more than half the total disabled population and 11% of the total population. 9/

More than half (57%) of Berkeley's elderly live in family households -- a somewhat lower proportion than is typical for the region as a whole (61%). Of those who live in non-family households (4,268), almost 90% (3,790) live alone. 10/

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8/ Appendix A, Table 1.3.

9/ Appendix A, Table 2.1.

10/ Appendix A, Table 2.3.

Most elderly are in owner-occupied housing. 32.3% of owner-occupied housing (5,453 units) include at least one elderly person as compared to 10.1% of rental housing (2,821 units). Slightly less than 5% are in group quarters (506 persons). 11/

Of elderly living in households, approximately 10% are below the poverty level. This is substantially less than the 32% of persons under 55 years of age; the latter figure includes students and all members of poverty households. Of those below the poverty level, 82% are householders. 12/ The growing number of minority elderly suggest these numbers may grow in the future.

#### Physically Handicapped

Close to 3,200 Berkeley residents are physically disabled -- i.e., identify themselves as having a physical, mental or other health condition that results in a "public transportation disability".

Almost half (1496) are between 16 and 64. Compared with the rest of the metropolitan area, the disabled population in Berkeley tends to be somewhat younger as well as a slightly higher proportion of the total population. 13/ Moreover, a somewhat larger proportion of Berkeley's elderly is estimated to be disabled than is estimated for the entire metropolitan area.

Assuming one disabled person per household -- all aged 16 and over and none living in institutions -- about 7% of Berkeley's households would benefit from having special facilities to meet the needs of the handicapped. These facilities would include increased door sizes, access ramps, specially designed kitchen and bathroom hardware, emergency buzzers, etc. Much of the housing especially suited to the needs of elderly people should have many of the same types of facilities.

#### Single Parent Families

Almost 9,000 Berkeley families include children and in 40% of these the children live with only one parent. Since 1970, the number of single-parent families has increased -- up 20% in Berkeley at a time when the total number of households was declining by 2%. Regionally the number of one parent households increased by 47% over the same decade. 14/

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11/ Appendix A, Table 2.2.

12/ Appendix B, page B-8.

13/ Appendix A, Table 2.4.

14/ Appendix A, Table 2.6.



Single-parent families in Berkeley are equally divided between Whites and non-Whites, while those with two parents present are largely White. Single female parents outnumber males by a ratio of six to one: 3,072 compared to 512. 15/

In a period such as the 1980's when two income households are the norm, single parent households are particularly vulnerable. Their incomes must pay for family housing, care and feeding of their children and child care while at work. In 1980, 335 one parent families lived with other families while only 75 married couples with children lived with other families. Of families maintaining their own household, 32.5% of female single parent families were below the poverty line while only 8% of two parent families were below the poverty line. 16/

#### University of California Housing Needs

With a full-time student enrollment of close to 30,000, 2,200 faculty plus 4,400 staff members, the University of California accounts for a substantial portion of Berkeley's housing demand. 17/ Not all of this demand is met by Berkeley's private housing supply. Many students, faculty and staff members currently live in neighboring communities; the University and its affiliates provide housing for almost a third of the student population and are also beginning to do so for new faculty members.

Staff and faculty housing needs are comaprable to those of other employed persons in Berkeley. Students, however, represent a special need group. Their housing demands include low cost and proximity to the campus. They are typically single (86%), live in Berkeley (68%), and move frequently.

The latest housing and transportation survey report by the University provides information which indicates that two-thirds of the U.C. student population live in Berkeley. 18/ Among single students, almost three-fourths live in Berkeley, whereas less than a third of students with families are Berkeley residents.

Student housing owned by the University and affiliated institutions provides for almost 7,900 single students, about half of it in housing owned by the University itself and the other half in cooperatives, fraternities and sororities. Most of the student family housing is located in Albany, at

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15/ Appendix A, Table 2.7.

16/ Appendix B, page B-8.

17/ All enrollment figures given in this section refer to full-time students.

18/ University Housing Office, "Housing and Transportation Survey," Winter Quarter, 1982.

University Village, which has 920 apartments. The remaining 102 units are in Bekreley at Smyth/Fernwald housing on Dwight Way.

Berkeley's private housing market currently provides for 42% of the full-time student enrollment: about 11,400 single students and about 1,000 with families. The University has expressed a goal of providing campus housing for 40% of single students and 30% of students with families. This would call for an increase of 2,430 beds for single students and the addition of 120 apartments for students with families, according to the University's figures.

#### EQUAL ACCESS TO HOUSING OPPORTUNITIES

Equal access to housing means that no one is denied access to housing opportunities due to race, color, ethnicity, religion, sex, national origin, household composition, marital status or sexual preference. Housing choices involve many factors such as employment, household make-up, income, quality of community facilities and services, neighborhood character, available options and expectations of the future. For this reason, it is difficult to identify which choices are limited by real or perceived discrimination. Conditions exist in Berkeley, however, which may foster discrimination.

Most critical is the shortage of housing. The cost of housing increases with demand and the process of "gentrification" set in. This is the displacement of lower income households and their replacement with higher income households. Gentrification discriminates against those groups least able to compete -- low income households, students, minority groups, recent immigrants, single parent families, the disabled, large families and the elderly.

For example, even with the addition of 1000 dorm beds, Berkeley's housing market is not able to serve the students needing housing. According to recent reports <sup>19/</sup> this problem is due in part to landlords renting to young professionals in preference to students. Undoubtedly, other groups are similarly discriminated against in the current practice of taking applications for available units. The winners in such a process are likely to be young employed professionals.

The City has taken action to deter overt discrimination. Its ordinance against discrimination against households with children in 1975 was one of the earliest. Services are provided to inform households of what their rights are and how to assert them. Still, practical problems often force individuals to accept what can be obtained without a hassle.

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<sup>19/</sup> Daily California, August 21, 22 and 23, 1984.



The result of these forces is seen in the changes in Berkeley's population make-up between 1970 and 1980. The Black population has declined 24.3%; 20/ the number of families has declined 22%; 20/ the number of children under 15 has declined 35.6%; 21/ the number of large households (5 or more persons) has declined 41.8%; 22/ the number of single parent households has increased 20%, less than half the 48% increase throughout the region. 23/ All of these statistics confirm the inability of the Berkeley housing market to serve important population groups that have historically been important to the character of Berkeley and its neighborhoods.

#### PUBLIC PARTICIPATION IN HOUSING DECISIONS

Berkeley is committed to public participation in housing decisions -- from development of policy and programs through proposals for individual houses. This commitment is based upon the belief that those who need and occupy housing are uniquely sensitive to the potential effects of policies, programs and projects on their housing needs and neighborhoods. The challenge is to provide information and opportunities for public comment to interested and affected persons and groups in a timely way that will result in decisions that improve the housing opportunities in Berkeley. To improve participation a number of problems must be addressed.

Policies which will affect housing opportunities are not always obvious. For example, economic development may increase the demand for housing in Berkeley without adequate measures to accommodate the demand. Changes to zoning regulations can encourage or discourage housing, particularly for low and moderate income households. Yet such policies, once adopted, can dictate what opportunities will be in the future. Information must be widely distributed on the policies proposed and their impact on housing and residential neighborhoods.

Programs to meet housing needs need additional comment from those who have or utilize them. In a time of limited resources, the City needs to ensure that its programs operate in a cost effective and humane way. Individual comments and recommendations can make an important contribution to use of limited public and private resources.

Neighborhood residents are deeply concerned about potential changes, beneficial and adverse. They recognize that decisions on a variety of subjects such as zoning, traffic, commercial development, school closures,

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20/ Appendix A, Table 1.3.

21/ Appendix B, page B-4, Table 8.

22/ Appendix A, Table 2.5.

23/ Appendix A, Table 2.6.

parks and public safety will affect the residential character of their neighborhoods. Some neighborhoods have well-informed and active groups to examine and comment on proposals. In other neighborhoods -- especially those with high population turnover (such as around the campus) or lower income families -- the ability to participate effectively is very limited. Opening the avenues of participation will involve looking for new ways through which residents can suggest, review and support activities to improve housing conditions and neighborhood environments.

Opportunities for involvement need to be provided in a timely way. Residents need adequate notice and information to participate constructively to housing decisions. Concurrently, those who provide and manage housing need a reasonable level of predictability to function economically. To achieve these parallel objectives, increased participation is needed in the design of housing policies, development standards and program priorities. With broad public understanding and agreement on these policy and program directions, individual projects can be reviewed and acted upon without unnecessary ambiguity or delay.

### CHAPTER III. EXISTING AND PROJECTED HOUSING NEEDS

	<u>Page</u>
HOUSING AFFORDABILITY.....	III-2
MAINTENANCE OF EXISTING HOUSING.....	III-2
EXPANSION OF THE HOUSING SUPPLY.....	III-3
SPECIAL NEEDS.....	III-3



## EXISTING AND PROJECTED HOUSING NEEDS

### HOUSING AFFORDABILITY

42% of Berkeley's renters (about 11,700 households) and 13% of its homeowners (2,200) are now paying more than 35% of their incomes for shelter. These Berkeley households -- which may include those now living in substandard and overcrowded dwellings -- should be considered as having a "housing need". These numbers may be somewhat inflated by student households supported by families, scholarships or student loans. Still the previously discussed single parent households, elderly and disabled face high housing costs as well as special problems.

Berkeley's housing programs have given priority to the development, maintenance and expansion of its affordable housing. In spite of this commitment, the problem persists. For this reason, implementation programs are designed to mitigate this problem, or, at a minimum, avoid increasing the problem.

The problem is not isolated from those of expansion of the total supply and maintenance of housing. As more needs (particularly in Berkeley student housing needs) can be met through new construction, pressures on the existing stock will diminish. These increases can be complemented with improved use of the existing housing through shared housing, appropriate second units and services which assist lower income households to obtain and retain affordable housing. Support for housing maintenance can keep rehabilitated units in the affordable housing stock.

### MAINTENANCE OF THE HOUSING STOCK

The City's Housing Assistance Plan (See Appendix E) provides a good estimate of the housing rehabilitation needs of the community. This report estimates the number of substandard units at 16,835. Calculations are premised on the assumption that standard housing units, if not maintained, would over a 20 year period develop code violations whose cost to repair would exceed rehabilitation cost estimates.

Therefore, every year 1475 units need to be repaired to maintain the housing stock. An average of 2,500 building permits are issued every year. Of these, approximately 40% (1,000) are for repairs to bring units up to code; this results in an estimated increase in substandard units of 475 per year.

To address this growing problem the Implementation Chapter will mount a multiple approach which will include: incentives for rehabilitation, systematic enforcement, technical and financial assistance to lower income owners and controls over conversion of standard residential units to other uses.

## EXPANSION OF THE HOUSING SUPPLY

Berkeley needs additional housing to meet the needs of its current and projected residents. The Association of Bay Area Governments concluded the San Francisco Bay region needs a vacancy factor of 4.5% to permit residents to move as their employment or housing needs change. <sup>1/</sup> Between 1980 and 1990 Berkeley needs to add 761 units to achieve this vacancy rate. In addition, the ABAG found Berkeley needs to add 850 units to accomodate its share of regional growth between 1980 and 1990.

In establishing these goals, the Association of Bay Area Governments took into account six factors: market demand for housing, employment opportunities, availability of suitable sites and public facilities, commuting patterns, type and tenure of housing and housing needs of farmworkers. A detailed description of how these determinations were made is contained in Appendix C. For Berkeley, the total of 1611 units are needed as follows:

Housing Type	714 Single Family (including mobile homes)
	897 Multi Family
Tenure:	609 Owner-occupied
	1002 Rental Units
Income Level:	483 Very Low Income
	274 Low Income
	306 Moderate Income
	548 Above Moderate Income

The additional housing can be developed in a variety of ways: construction of new units, addition of units to present development, rehabilitation of units now out of the market, or provision of group housing (such as University Dormitories) to meet needs now dependent on the private housing market.

As the Implementation Chapter describes, Berkeley is well on its way to meeting these needs and is confident the number and mix can be attained by 1990.

### SPECIAL NEEDS

The needs of special groups -- Black families, students, single parent households, elderly and handicapped -- overlap with needs for affordable housing and maintenance of the existing stock. The distinctive feature of these special needs is that these groups have faced obstacles in addition to high cost, low vacancy and housing deterioration.

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<sup>1/</sup> See Appendix C.

## Elderly

For the elderly, isolation and diminished physical capabilities present obstacles in addition to lower income. Almost 1000 elderly in Berkeley have incomes below the poverty level. 2/ 57% of Berkeley's elderly live in family households but almost 90% of the remainder (3,790) live alone. Very few (506) live in group quarters. Most Berkeley elderly live in owner occupied housing. Of 8,274 households with one or more persons over 65, only 2,821 (34%) 3/ are rental households. While not possible to measure exactly, it can be assumed many of these households have difficulty maintaining properties adequately and/or finding alternative housing when maintenance of the owner-occupied housing becomes impossible.

## Disabled

Based upon 1980 Census data it is estimated that 3,200 residents are physically disabled. While most are also elderly, almost half of the total -- about 1500 -- are between 16 and 64. This means a variety of housing must be designed to accomodate the handicapped -- dormitories, apartments and traditional single family housing. In addition, many of the disabled need help in locating accessible housing.

## Single Parent Households

These households have the combined problems of an often limited single one income with which to purchase suitable housing in an environment that safely meets the needs of children for recreation, education and companionship. In addition, working parents need responsible and convenient child care. Of all families with children under 18, 40% are single parent families. 4/ Berkeley needs in the coming years to determine more precisely how many have significant unmet needs and how these can be addressed. Current approaches have included facilitating house-sharing and priorities for such households in assisted housing. To stimulate the provision of family day-care, small facilities can now be located in all residential districts.

## Student Housing

Their large numbers, unfamiliarity with Berkeley and often short residency all contribute to the difficulty students face in locating housing in Berkeley. In spite of policies to the contrary, student registration in 1984 reached 31,000. With only 17% housed in University housing, new students face an uphill struggle to locate convenient moderately priced housing.

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2/ Appendix B, P. B-8, Table 12.

3/ Appendix A, Table 2.3

4/ Appendix A, Table 2.6



Both to meet student needs and relieve the increasing pressure on the housing stock, increased coordination with the University will be employed to support appropriate projects to increase the housing provided by the campus for its students in Berkeley and adjacent communities. In addition, enrollments need to be curtailed to the planned maximum of 27,500.

## CHAPTER IV - RESOURCES AND CONSTRAINTS

	<u>Page</u>
Introduction.....	IV-2
Housing Characteristics and Trends.....	IV-2
Sites for Additional Housing.....	IV-4
Second Units.....	IV-5
Infrastructure.....	IV-6
Experience in Housing Programs and Services.....	IV-6
Municipal Ordinances.....	IV-6
Market Constraints.....	IV-8
Federal and State Resources.....	IV-9

## RESOURCES AND CONSTRAINTS

### Introduction

Chapter II analyzed the character of housing problems which Berkeley faces both at present and in the future. Chapter III quantified needs into various categories. This chapter will look at the resources and constraints affecting the capacity of the private market and public agencies to meet these needs between 1980 and 1990.

### Housing Characteristics and Trends

Berkeley's housing has been characterized since 1970 by a large proportion of rental units, low vacancy rates and small changes in the number or types of units. Chart 1 compares Berkeley with other cities and the region. Almost 9% of Berkeley's residents live in group quarters -- primarily University of California and privately operated student housing. 1/ Condominium units make up a very small proportion of Berkeley's housing -- less than 1%, compared with over 4% for the metropolitan area.

The typical dwelling in Berkeley is smaller than in the metropolitan area as a whole, with Berkeley having a greater proportion of small units and fewer large ones. More than 17,000 dwellings in Berkeley have from 1 to 3 rooms and comprise 37% of the total housing stock while larger units, with six or more rooms, constitute only 26% of the total. 2/

Additional one room units are created through the renting of individual rooms in single family homes; on the other hand some 1-room units in residential hotels are being converted to short term transient use.

Between 1970 and 1980 the number of owner-occupied units increased by more than 1000 while the number of renter-occupied units declined by a comparable amount. Increases in the number of owner-occupied housing units resulted from in-fill construction of single family homes and condominiums, owner-occupancy of previously rented single family homes and conversion of rental units to condominium ownership before enactment of the Condominium Conversion Ordinance. Decreases in the number of rental housing units resulted from these conversions to owner-occupancy, the lack of new rental construction, some conversion of units to non-residential uses before controls were imposed and loss of some units to demolition, fire or severe deterioration. One result of this shift is a steep decline in the rental vacancy rate -- from 3.5% to 2.4%. Berkeley's owner-occupancy vacancy rate remained under 1%, demonstrating a continued strong demand for both owner and rental units in Berkeley.

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1/ Appendix A, Table 1.2

2/ Appendix B. Table 4. Page B-2.



# CHART 1

## GENERAL HOUSING TRENDS, 1970-1980: BERKELEY, SMSA, SAN FRANCISCO, OAKLAND AND RICHMOND

	<u>Berkeley</u>	<u>SMSA</u>	<u>San Francisco</u>	<u>Oakland</u>	<u>Richmond</u>
Total Housing Units - 1970	46,160	1,130,239	310,402	146,615	26,931
1980	46,664	1,339,015	316,608	150,274	29,082
% Change	+4	+18.5	+2.0	+2.0	+8.0
Occupied Housing - 1970	44,494	1,085,852	295,174	138,831	26,096
- 1980	44,704	1,280,506	298,956	141,657	28,107
% Change	+5	+17.9	+1.3	+2.0	+7.7
Owner-Occupied - 1970	15,518	560,749	97,036	58,831	15,599
- 1980	16,883	679,320	100,786	60,805	16,151
% Change	+8.8	+21.1	+3.9	+3.4	+3.5
Renter-Occupied - 1970	28,976	525,103	198,138	80,000	10,497
- 1980	27,821	601,186	198,170	80,852	11,956
% Change	-4.0	+14.5	0	+1.1	+13.9
Vacancy Rate, for Sale					
- 1970	0.76	0.91	0.74	1.25	0.74
- 1980	0.97	1.57	1.73	1.65	1.46
% Change	+27.6	+72.5	+133.8	+32.0	+97.3
Vacancy Rate, for Rent					
- 1970	3.47	4.57	4.74	6.08	4.51
- 1980	2.44	3.96	4.11	5.32	3.21
% Change	-29.7	-13.3	-13.3	-12.5	-28.8
Total Vacant Units - 1970	1,666	44,387	15,228	7,784	835
1980	1,630	58,509	17,652	8,617	975
% Change	-2%	+32%	+16%	+11%	+17%

Source: U.S. Census, 1980 and 1970

Compared with the metropolitan areas as a whole, more of Berkeley's housing is in the lower cost levels and less is at the higher levels. 3/ This is true of other central cities with Oakland and Richmond having an even stronger tilt toward lower cost housing than Berkeley. Costs of home ownership are significantly higher in Berkeley than other older cities, whereas the range of rental rates here is closer to that of Oakland and Richmond.

The distribution of households by income level stands in sharp contrast with the housing cost distribution. Close to 40% of Berkeley's renters and 15% of its owners are in the very low income category but only 10% of Berkeley's renters and 15% of its owners have very low housing costs. 4/ At the upper end of the income scale there is a better match since a large share of Berkeley's owner housing is in the higher cost levels.

#### Sites for Additional Housing

As a built up City, Berkeley offers no large tracts of land for major housing development. However, opportunities for additions to the housing stock do exist and are being utilized.

Remaining housing sites are being developed by individuals, primarily in the hill areas of Berkeley. These sites could accomodate approximately 600 units under existing zoning. The number of these sites is being reduced each year, and, equally important, the vacant sites are often steep and expensive to develop. The result is often very expensive housing when high land and construction costs are added to rising costs for materials, labor and financing. However, scattered lots were recently developed in the flat lands for 14 units of low income housing. A second site resource are several larger (over 1/2 acre) public sites in residential districts, e.g., the Santa Fe right-of-way which was abandoned and deeded to the City in 1977, underutilized University of California sites in the campus area, surplus school district sites, and sites planned for residential use in the West Berkeley Redevelopment Area. The 50 acre site of the relocated State Schools for the Deaf and Blind is currently being remodeled and developed to provide housing for 745 students, 20 faculty apartments and 169 senior and disabled households.

A third site resource is commercially zoned property. Along Sacramento Street, San Pablo Avenue, Shattuck Avenue north and south of the Central District and in South Berkeley, sites that are currently undeveloped or underdeveloped could be used for housing or mixed used developments. In some locations, rezoning to a residential district may be appropriate. The Central Business District also includes sites that could be redeveloped as mixed use projects. The sites collectively can be expected to provide 80 units by 1990

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3/ Appendix B, p. B-2, Tables 9 and 10.

4/ Appendix A, Table 1.8.

and many more in the years ahead if construction costs stabilize and interest rate costs decline.

Finally, with sensitivity to the individual site, opportunities may exist to add second units to existing residential parcels. Circumstances such as lack of parking, limited access, small lots and congestion will limit opportunities for appropriate development. Where suitable, however, such expansion provides an opportunity to increase the supply of affordable housing in attractive neighborhoods.

The largest vacant site in Berkeley is the filled land west of I-80 along the Berkeley waterfront. Currently, planning is underway to develop a plan for this resource that will contribute to and be an integral part of Berkeley's total development -- socially, physically and economically. A policy of this planning is to insure that waterfront development enhances the overall ethnic, cultural and economic balance of Berkeley's residential population. When planning for this area is completed, it will be integrated into the Berkeley Master Plan and appropriate amendments will be made to plan elements, including the Housing Element.

### Second Units

With the current high financing costs, lack of available land, and bleak outlook for public subsidies, the creation of second dwelling units in single family zones can be viewed as one way of easing a community's housing need. Such incremental additions can avoid the negative impacts of large projects. It can often assist in the expansion of affordable housing stock since second units normally require simple modifications and capitalize on the use of the existing, in place, structure. With the passage of the Mello Bill in 1982, localities are given three choices with respect to second units:

1. They have broad discretion to designate zones which are appropriate for second units and to develop standards suitable to local conditions;
2. If zones are not designated, localities are required, under specific criteria, to grant conditional use permits for second units contained within the existing home; or
3. Localities can preclude second units altogether if they determine that specific adverse impacts on public health, safety, and welfare outweigh the original housing needs and need for this form of housing.

The development of second units raises several issues. Many residential areas already feel the impact of increased car ownership and use in areas with limited off street parking and/or street capacity; in some areas congestion can inhibit the response of emergency vehicles. There is also concern that division of houses into two units will further reduce the number of families with children living in Berkeley.



The City is working to balance the need for more lower cost housing for small households with the preservation of neighborhood safety, amenity and character. The City Council and Planning Commission will discuss alternative proposals in the fall of 1984.

### Infrastructure

Basic infrastructure needed to serve the City's residential areas is currently adequate to accommodate additional housing that is built on scattered parcels throughout the City or additions to existing residential development. Individual evaluation is needed for major developments such as the Deaf/Blind School reuse to determine the adequacy of existing facilities. If any entirely new area such as the waterfront is developed, their needs and impact on existing infrastructure will be assessed.

The principal constraint with the City's infrastructure is that, since the City has been built up for many years, the sewer and water and street facilities are in need of constant and costly maintenance. The City in 1982 established street and lighting assessment districts to meet some maintenance requirements. Since planned expansions to the housing stock are modest, the present utility and street system should be adequate if a systematic program of maintenance and improvements is carried out.

### Experience in Housing Programs and Services

A major resource of the City is many years of experience in the design and operation of housing programs and related activities. The Berkeley Redevelopment Agency was organized in the mid-1950's and the Housing Authority which coordinates low income housing for over 1100 households in the 1960's. Berkeley was an early participant in the Federally Assisted Code Enforcement Program, the Model Cities Program and the Community Development Block Grant Program. Concurrently the City has supported with services, "seed money" and technical expertise privately-sponsored activities to provide affordable housing through below market senior and family housing developments, limited equity cooperatives, energy conservation education and services, and consumer information.

The University of California since World War II has become involved in the provision of housing and housing services. In addition to the 2,500 beds and over 500 apartments owned and managed for students, the campus explores opportunities for additional student housing and provides services to help students locate housing and become informed on their rights and obligations as tenants.

### Municipal Ordinances

Many municipal ordinances affect the development, maintenance and use of the City's housing resources. They set standards for the production, maintenance and use of existing housing and new housing. To some observers, local codes may seem a constraint on new development, setting obstacles in the way of

those who would produce housing. On the other hand, they serve public goals that housing be kept affordable, housing and neighborhood amenities be preserved, safety and security be promoted and neighborhood residents have an opportunity to participate in decisions affecting the character of their neighborhoods. This section will look at the constraints established by Ordinances; their positive impacts are described in the Chapter VI section on Housing Strategies.

**Zoning:** The Zoning Ordinance is made up of several elements. The first is a set of regulations which control development in separate districts (e.g., General Commercial, Single Family Residential, Office Residential). For environmentally sensitive areas such as Panoramic Hill, these rules are very restrictive to protect the lives, property and amenities of this neighborhood. For areas suitable for industrial development, more intense development is allowed. A second element of the Zoning Ordinance is the Zoning Map which sets the district applicable to any location in the City: e.g., Single Family R-1 in the hills, C-2 Central District Commercial in the downtown. Finally, the ordinance establishes procedures for securing permits and variances from regulations. These include public hearing and notice requirements, fees applicable and appeal rights and procedures.

Any regulation which limits what can be done with a property and/or establishes discretionary review procedures can deter development. To reduce the negative effect of such requirements, evaluation of the ordinance is carried out in an ongoing way to (1) seek ways to minimize the procedural obstacles to obtaining permits for priority development, (2) remove or revise regulations which are ineffective, superfluous or an obstacle to beneficial development, (3) encourage innovative use of existing housing and (4) insure that the Zoning Map is consistent with the land use and housing policies of the Master Plan.

**Residential Energy Conservation:** This ordinance requires all residential structures before they are sold or exchanged to meet specified energy conservation standards. This can add costs to a sales transaction and potentially inhibit the free operation of the housing market. Recognizing this problem, the Ordinance limits the expenditure required to \$1,000 for a one unit structure and \$.50 per square foot for a multi-unit structure.

**Condominium Conversion Ordinance:** Initially adopted in 1979, this Ordinance prohibits conversion of rental units in multi-unit structures to condominiums, community apartments or stock cooperatives unless the City's overall vacancy rate is 5% or higher. The Ordinance may be further amended to prohibit the conversion of units in single family structures as well as those in multi-family structures, thus further preventing the loss of existing rental units. The Ordinance does, however, permit conversion to limited equity cooperatives. The ordinance does not limit development of condominiums in new buildings or in remodelled non-residential buildings.

This does constrain the growth of owner-occupied housing through conversion of existing housing from rental to owner units. The growing demand for moderate



cost rental housing at a time when new construction is not meeting this need mandated City priority to preservation of its rental stock.

**Rent Stabilization and Eviction Control:** The current program was established by the City Council in 1979 and has been amended three times since. The program is designed to help maintain the diversity of the Berkeley community and advance the housing policies of the City with regard to low and fixed income persons, minorities, students, handicapped and aged by regulating rent increases and protecting tenants from unwarranted rent increases and arbitrary, discriminatory or retaliatory evictions.

**Discrimination Against Families With Children:** In 1975, the City of Berkeley declared it unlawful for property owners to refuse to rent or lease any accommodations on account of the potential tenancy of a minor child or children. Exempted from this ordinance are buildings which rent exclusively to elderly people. Because of other constraints (primarily costs) the negative impact, if any, of this requirement on development and maintenance of needed housing cannot be estimated.

**Landmarks Preservation Ordinance:** Enacted in 1974, this Ordinance protects "structures, sites and areas of special character or special historical, architectural or aesthetic interests for value" from unnecessary destruction or alteration. To date, most of the sixty designated landmarks have been non-residential buildings. The designated residential structures serve largely above moderate income households. While owners may object to the review requirements, the Ordinance has had no adverse impact on the maintenance of residential landmarks.

**Residential Development Fees:** The total cost of securing residential development permits in Berkeley is in line with other similar cities. On a per unit basis, municipal fees charged for multi-family developments are substantially lower than for single family development. Although Berkeley's building permit fees are among the highest in the region, its minimal charges for other types of permits puts the total cost for development fees into a moderate position. The City also has provisions for fee reductions and waivers to make possible production of low and moderate income housing.

#### Market Constraints

Rising home prices and high-priced mortgage money force many potential home buyers from the market. First time buyers of low or moderate income face particular difficulties. Interest rates have fluctuated greatly, rising to



over 15% in the early 1980's, dropping to 12% in 1983 and rising again in 1984. The market has responded by increased use of adjustable rate mortgages where interest rates and payments rise and fall with prevailing interest rates. The long term effect of this change in procedures is uncertain at this time.

In the short term adjustable rate mortgages have helped the housing market (new and resale homes) by permitting more households to qualify for lower initial rates. The long term benefit will be seen if these households do enjoy income increases to match increases in house payments.

High interest rates have slowed down the rising cost in homes. The Real Estate Research Council reported that the annual rate of appreciation for single family homes reached a peak of 23.4% in 1979 but slipped to less than an average 1% gain in 1982. Still costs for home ownership on the average increased almost 100% in the Bay Area between 1977 and 1982 while rental costs in the same period increased an average of 56%.

The rising cost of home ownership has had a number of impacts on the rental market. The demand for rental housing goes up as more households are priced out of the ownership market. At the same time the production of rental housing decreases with more profits available in single family and condominium construction. Finally, single family houses and condominiums that were rented are sold to owner-occupants. This trend is dramatically reflected in the increase in owner units and decrease in renter units in Berkeley between 1970 and 1980.

#### Federal and State Resources

The City of Berkeley has been participating in the Federal Community Development Block Grant (CDBG) program since its inception in 1975. As an "entitlement" City, Berkeley has received an annual grant based on need as defined by Congress and determined by federal regulations. During the current program year, CDBG resources available to the City amount to about \$3,683,000. The largest portion of those funds -- over \$2,150,000 -- are committed to improving the City's housing resources.

Federal housing subsidy funds other than the CDBG grants currently enable the City to provide direct assistance to about 1,725 lower income households. These include 840 households containing elderly and/or handicapped people and 885 families. In aggregate, these resources reach only about 7% of the City's lower income households -- defined as those households whose incomes are below 80% of the median for the metropolitan area.

With current national policies favoring reduced spending for domestic programs such as housing assistance, prospects are for a drop in the amount of funds available to support the City's efforts to assist more lower income households. Berkeley can expect to complete those projects that are now under way -- but funding for additional assisted housing will be difficult to obtain.

Berkeley has also made use of State housing programs administered by the California Housing Finance Agency and the Housing and Community Development Department in developing such projects as the Oceanview Gardens and the scattered sites project for very large families. Without the addition of rent supplements, however, current state programs alone are not sufficient to produce housing that can be priced within the means of low income people.

## CHAPTER V -- GOALS AND POLICIES

	<u>Page</u>
HOUSING AFFORDABILITY	
GOAL 1: Berkeley residents should have access to decent housing in pleasant neighborhoods which meet standards of adequacy at a range of prices they can afford.....	V-3
MAINTENANCE OF EXISTING HOUSING	
GOAL 2: Existing housing should be maintained, improved and fully utilized.....	V-9
EXPANSION OF THE HOUSING STOCK	
GOAL 3: New housing, developed in accordance with density and environmental standards, should be developed to expand housing opportunities in Berkeley.....	V-13
SPECIAL NEEDS	
GOAL 4: Berkeley should have an adequate supply of housing throughout the City for persons with special needs.....	V-16
GOAL 5: Without causing or increasing housing problems for other Berkeley residents, the University and other institutions should take responsibility for housing demands they generate which create additional pressure on the private housing market.....	V-18
EQUAL ACCESS TO HOUSING OPPORTUNITIES	
GOAL 6: All residents should have equal access to housing opportunities, finance, and insurance on a non-discriminatory basis.....	V-22



PUBLIC PARTICIPATION IN HOUSING DECISIONMAKING

GOAL 7: Berkeley should expand the role of neighborhood residents and community organizations in the planning process, including planning for housing conservation and development.....

V-25

## HOUSING AFFORDABILITY

GOAL 1: BERKELEY RESIDENTS SHOULD HAVE ACCESS TO DECENT HOUSING  
IN PLEASANT NEIGHBORHOODS WHICH MEET STANDARDS OF  
ADEQUACY AT A RANGE OF PRICES THEY CAN AFFORD.

The Housing Goal established by Congress in the 1949 Housing Act and reaffirmed in the 1974 Housing and Community Development Act was that people have "a right to a decent home and a suitable living environment." Implicit in this goal is the concept of an affordable price, i.e., that an adequate supply of affordable housing should be made available.

To the extent possible, efforts to maintain and/or upgrade the quality of housing should not displace or impose financial hardships on occupants in keeping with this national goal. Berkeley's housing programs seek to improve the living conditions of its residents without pricing them out of the market.

### Policy 1.10

Establish and continuously review standards of adequacy  
for all housing, wherever located and for whomever  
available, including safety, sanitation, space, energy  
conservation, and other amenities.

This policy mandates a continuing review of standards (including the Zoning Ordinance, Building Code, Housing Code, Landmarks Preservation Ordinance, Residential Energy Conservation Ordinance, and State Residential Energy Conservation Building Standards) with revision from time to time as appropriate.

#### Policy 1.11

In order to contribute to housing adequacy through conservation of existing housing and development of additional housing as needed, seek reasonable rate financing from public and private sources, especially for low and moderate income housing.

High interest rates and shortages of loan funds inhibit the ability of the market to rehabilitate existing units and develop new housing. The City should attempt to provide financing at below-market rates for rehabilitation as well as for adding affordable units to the housing stock.

#### Policy 1.12

Coordinate government and private action to produce living environments which offer residents safety, amenities and reasonable access to transportation, services and recreation.

The environment in which a housing unit is located determines its adequacy as much as the physical condition of the unit. Safety, privacy and healthful surroundings are common goals. Needs for transportation, parks, low-density housing with yards or walking distance to services may vary from one household to another.

#### Policy 1.13

To make housing available in a range of prices so that all income groups will have reasonable access to housing,



seek to increase the number of low and moderate income households receiving rent supports (in subsidy or other form) and in the amount of such support, avoiding undue concentrations of low income housing.

Subsidies which make up the difference between the market costs for a suitable place to live and what a household can afford are the most direct means for filling the gap between costs and ability to pay. This is the approach of the Housing Authority's Section 8 Existing Leased Housing Program. To increase its effectiveness, Berkeley will continue to use this and comparable programs to the fullest extent possible.

#### Policy 1.14

To obtain revenues to support housing and other governmental and educational services in a fair manner, prevent erosion of the property tax base due to loss of property from the tax rolls.

The large amounts of property removed from the tax rolls have affected the amount of property taxes to support municipal services and education. Berkeley is committed to preventing loss of more property from the tax rolls.

#### Policy 1.15

As a first priority, take actions necessary to maintain and expand the supply of rental units to meet the needs of low and middle income residents best served by rental housing

Most of Berkeley's residents -- by choice or necessity -- rent. Current costs for land, construction and financing prevent the construction of unassisted moderately priced rental housing projects. As long as this situation persists, Berkeley must act to prevent further loss of existing rental units and support opportunities for expansion of the supply.

#### Policy 1.16

Support activities which will expand opportunities for  
home ownership, especially for low and moderate income  
households

Both the City and its residents benefit from owner-occupancy. Berkeley should undertake actions which stimulate home ownership. Owner-occupancy offers the resident advantages such as property tax exemption on the first \$7,000 of market value, income tax deductions for taxes and interest, and freedom to manage housing to meet individual needs. For this reason, the City supports new construction of cooperatives and condominiums for those otherwise excluded from ownership. It also supports conversion of existing rental units to limited equity cooperatives or other systems which keep ownership units affordable to future owners. When conversion is considered, procedures should provide current residents with participation in the conversion decisions and opportunities for unit ownership. The City and its neighborhoods benefit through increased stability and owner concern for long-term neighborhood improvement.

#### Policy 1.17

Integrate energy conservation measures in local  
government ordinances and housing assistance programs.  
In addition, strengthen enforcement of the State's  
residential energy conservation building standards (with  
possible stronger standards locally) and encourage the  
use of energy conserving appliances and lighting systems.

Since energy costs have risen so steeply and traditional energy supplies are decreasing, reduced energy usage is critical to maintenance of affordable housing. Conservation measures, solar energy use, and related innovations systems should be important features in the construction, rehabilitation and redevelopment of housing.

Policy 1.18

Provide reasonable relocation assistance where households are forced to move as a result of City action; when another public agency is responsible, seek its assistance; and require such assistance as appropriate where such move is the result of private action.

High standards have been imposed for the provision of relocation assistance to households forced to move due to public action. Berkeley will review situations where tenants are forced to move due to private actions and, where appropriate, require relocation assistance.

Policy 1.19

Individually and together with other government bodies (city, county, regional and state) support those policies at all levels of government which will insure the maximum flow of housing assistance to meet Berkeley needs.

The City, in conjunction with other government bodies, should aggressively seek state and federal funds to assist residents and to stimulate affordable neighborhood improvements, rehabilitation and new units.



Policy 1.20

Encourage conversion back to housing of those residential buildings now used for other purposes.

Existing structures often provide opportunities to increase the supply of affordable housing.

Policy 1.21

Protect tenants from large rent increases and arbitrary evictions, through an effective program of rent stabilization and eviction controls.

Policy 1.22

Whenever possible, carry out and support actions that increase the long-term affordable housing stock.

Policy 1.23

Prioritize housing programs so as to maintain the diversity of Berkeley's population.

Resource allocation should explicitly consider population groups being squeezed out by market forces.

Policy 1.24

Education and protect renters in the exercise of their  
rights as residential tenants.

The City needs to take direct actions to ensure that residents know what their  
rights are and how they can be exercised.

## MAINTENANCE OF EXISTING HOUSING

GOAL 2: EXISTING HOUSING SHOULD BE MAINTAINED, IMPROVED, AND  
FULLY UTILIZED.

The wood frame construction that makes up most of Berkeley's housing can last indefinitely if properly maintained. The housing is aging, however, and much is in need of repair. If neglected, an increasing number of homes will become dilapidated -- presenting hazards to those who live in them and blighting the neighborhoods in which they occur. Maintenance and rehabilitation is usually less costly than redevelopment and contributes to community stability.

### Policy 2.10

Institute a program of voluntary housing conservation,  
including technical and financial assistance, to eligible  
owners to improve existing housing and keep it within the  
financial means of residents.

Although primary reliance will be upon private action and financing, Berkeley recognizes housing conservation as a municipal function. Effective housing conservation requires the coordination of private action, public improvements, financial assistance for lower income households, relocation assistance and flexibility in administration of such programs.

Berkeley's housing programs should conserve the City's sound housing by minimizing inconvenience and financial hardships on owners and occupants when repairs are required.

### Policy 2.11

Coordinate a program of flexible code enforcement with  
adequate assistance programs to insure that housing meets



health and safety standards without producing undue hardships for residents.

The purpose of code enforcement is to prevent housing from falling into disrepair. Repair of hazardous conditions is mandatory. In non-hazardous situations, repairs will be made in accordance with standards prescribed. To minimize inconvenience and financial hardships to owners and tenants, code enforcement is to be coordinated with financial assistance programs. Housing Code enforcement should be carried out to maintain the stock of low-priced housing to the extent possible.

#### Policy 2.12

Prevent the loss of rental/ownership housing through demolition, conversion to other use, long-term vacancy, arson, vandalism or malicious mischief and take actions to return vacant housing back to the occupied housing stock.

Most owners are conscientious in their desire to maintain housing and extend its useful life. Some owners, however, become convinced replacement is more advantageous and, for this or other reasons, let their property deteriorate. Such actions have a blighting influence on a neighborhood and can even adversely affect the long-term possibility of building replacement housing on a site. A comprehensive program is needed to control these problems and to rehabilitate unused housing for new occupants. The City should be prepared to respond promptly to information that a building is being abandoned and/or vandalized. The City should allow demolition or conversions only to make way for approved replacement housing, to remove a public hazard or to serve an overriding public purpose that can be met in no other way.

### Policy 2.13

Where consistent with established standards and compatible with adjacent neighborhood environments encourage more intensive utilization of existing housing stock by promoting shared housing opportunities and creation of additional smaller rental units on presently developed residential lots.

### Policy 2.14

Encourage the preservation and use of residential buildings of architectural, cultural, educational, and historic significance. Whenever possible, without producing undue hardships for residents and for owners, employ State and Federal programs to stimulate restoration of significant housing structures.

Berkeley has many unique historical and aesthetic structures and areas. To build on Landmarks Preservation Ordinance and the work of the Landmarks Preservation Commission, Berkeley should refine methods to protect this heritage.

### Policy 2.15

Carry out housing programs in a manner consistent with the interest of historic preservation. Design

rehabilitation and code enforcement programs so that the integrity of significant structures is not inadvertently damaged. Provide that new housing in historic areas should be compatible with historic structures.

Policy 2.16

Preserve and improve the supply of hotel rooms that provide low cost permanent housing.

Hotel rooms are an important resource that needs to be preserved from conversion to transient use and improved to provide safe and comfortable low cost housing for low and moderate income individuals.

Policy 2.17

Aggressively pursue programs to improve the energy efficiency of existing homes and apartments.

Educational and assistance programs can expand the number of units benefitting from the use of energy efficient improvements. At the same time, eliminate impediments to energy efficiency in building and housing codes and the Zoning Ordinance.



## EXPANSION OF THE HOUSING SUPPLY

GOAL 3: NEW HOUSING SHOULD BE DEVELOPED IN ACCORDANCE WITH DENSITY AND ENVIRONMENTAL STANDARDS, TO EXPAND HOUSING OPPORTUNITIES IN BERKELEY.

### Policy 3.10

Encourage the development of housing for low and moderate income households.

A variety of tools need to be explored, tested and utilized. These include density bonuses, inclusionary zoning, simplified procedures, fee wavier, low cost financing, reduced site costs and/or pre-development assistance. Amendments to the Zoning Ordinance can be examined to see where they can promote such housing development. The particular combination of housing incentives will be determined by the cost reductions needed to make a proposed project feasible for low and moderate income households. Housing incentives packages for each project will be approved on a case-by-case basis.

### Policy 3.11

Wherever feasible, employ state/federal programs and pursue innovative ways to stimulate the development of new housing for rent or sale to low and moderate income households.

Development of new housing for low and moderate income households depends, to a large extent, on state and federal assistance. Although the level of public assistance for new construction is not clear, Berkeley will develop other viable opportunities such as mortgage revenue bonds to stimulate new developments.

### Policy 3.12

Stimulate developments which combine residential with commercial uses in appropriate commercial locations serviced by adequate public transportation.

There are areas in the City, for example in the Central Business District and along portions of San Pablo Avenue, where it would be appropriate to have both residential and commercial uses to take advantage of public transportation and other suitable amenities. Mixed use development of currently vacant or underutilized commercial sites can make a significant addition to the housing stock and contribution to revitalization of commercial centers.

### Policy 3.13

Encourage the development of new housing on vacant or otherwise suitable land owned by public agencies, consistent with open space needs.

Berkeley has few sites suitable for developing housing at reasonable costs. Of those that do exist, many are owned by public agencies such as the University of California and the City of Berkeley. While making provision for needed open space, planning for such sites should give careful consideration to the inclusion of appropriate new residential development.

### Policy 3.14

Encourage the replacement of housing lost through deterioration, conversion to other use, or as a result of public action.

In spite of all efforts to conserve housing, there will continue to be instances where the replacement of housing is more economical than conservation. By facilitating such replacement through landbanking programs and reasonable codes and ordinances, the supply of housing will be maintained and neighborhood improvement and continuity will be encouraged

#### Policy 3.15

Facilitate the creation of live/work occupancies for  
artists and others who benefit from such housing.

This type of housing is the most economical and functional for certain  
individuals and should be possible in appropriate structures and locations.

#### Policy 3.16

Make more efficient use of existing residential  
properties to provide additional housing.

Many residential properties have potential for additions, modifications,  
shared housing, conversion of parties to a single family home to create an  
independent living unit or other adaptations to meet changing household  
composition without having a detrimental impact on existing neighborhood  
character. These opportunities represent a resource for meeting housing needs  
economically.



## SPECIAL NEEDS

GOAL 4: BERKELEY SHOULD HAVE AN ADEQUATE SUPPLY OF HOUSING  
THROUGHOUT THE CITY FOR PERSONS WITH SPECIAL NEEDS.

The City needs programs to assure that people whose needs are more difficult and expensive to meet can find affordable housing.

### Policy 4.10

Support activities which enable low and moderate income

Black families to obtain and maintain housing in Berkeley

A significant threat to the diversity of Berkeley's population is the loss of low and moderate income Black families. With housing prices rising faster than the incomes of these families, steps must be taken to make housing and career opportunities available.

### Policy 4.11

Support activities that increase the ability of the elderly and the disabled to remain in their home or neighborhood or to locate suitable housing to rent or purchase.

Many elderly and disabled residents have lived in Berkeley for many years and wish to remain in homes and neighborhoods familiar to them. Services can be provided to help them live where they choose, even when they suffer financial and/or physical limitations. A range of residential arrangements is needed to accommodate the varied needs and preferences of the elderly and disabled population.

Berkeley has design standards for housing to meet the requirements of the elderly and disabled. Berkeley can inventory the existing supply and encourage buildings and remodelers to design units to meet the need.

Berkeley can take an active role to encourage and facilitate appropriate shared housing, support services and senior housing.

#### Policy 4.12

Determine the need for housing to serve the elderly and persons with disabilities (physical, mental, or emotional), and encourage the provision of an adequate supply to meet the needs.

Berkeley will support shared housing and the establishment of small scale residential care facilities in all residential districts. Small nursing homes, foster homes and halfway houses are needed to provide humane care in residential neighborhoods. Housing for the elderly and the disabled can be expanded through new housing that is accessible, modification of existing units, development of second units on appropriate sites, promotion of shared housing, and improved public transportation.

#### Policy 4.13

Support activities that enhance the ability of families with children, especially large families and single-parent families, to rent or purchase suitable housing.

#### Policy 4.14

Seek solutions to the problems of homeless individuals and families.

Rising costs, low vacancy rates and reduced assistance for low and moderate income housing have resulted in a growing homeless population. A variety of social service agencies are providing emergency shelters and support services to help homeless persons obtain permanent housing. These programs are

currently meeting only part of the needs and could be more effectively coordinated with the City's housing programs.



GOAL 5: WITHOUT CAUSING OR INCREASING HOUSING PROBLEMS FOR OTHER  
BERKELEY RESIDENTS, THE UNIVERSITY AND OTHER INSTITUTIONS  
SHOULD TAKE RESPONSIBILITY FOR HOUSING DEMANDS THEY  
GENERATE WHICH CREATE ADDITIONAL PRESSURE ON THE PRIVATE  
HOUSING MARKET.

Berkeley expects the University and other large institutions to assume responsibility for housing demand they generate. The City is willing to cooperate with them to solve these problems so that the needs of University-related households and other Berkeley residents are met.

#### Policy 5.10

Urge the University to permanently limit student  
enrollment to its planned 27,500 students.

City and University planning for many years has been based upon an enrollment of 27,500 students. Currently enrollment is substantially above this level. The impacts of these changes must be identified and mitigated by the University.

#### Policy 5.11

Seek agreement from the University and other institutions  
that they will develop housing in accordance with City  
policies and regulations.

In the past, the University has cooperated with the City in planning its housing facilities. Berkeley should seek agreement from the Board of Regents that the University will not act without regard to City policies and regulations and will adhere to City planning processes.

#### Policy 5.12

Support the development of new housing for University-related households that will not take additional land off the tax rolls, is compatible with existing development, will be an asset to the neighborhood in which it is located, and, if at all possible, will provide community facilities for both students and other residents.

Planning for new housing should consider whether it should be in Berkeley or some other area. Wherever constructed, such housing should minimize the adverse impact on the community, to the extent possible, enhance the neighborhood in which it is constructed and be adequately served by public transportation.

#### Policy 5.13

Solicit the University to directly provide housing on University-owned land in Berkeley and other appropriate locations for at least 25% of its enrolled students at prices they can afford and to expand housing services for students and staff. Concurrently, solicit the University to support privately sponsored student housing to serve an additional 15% of its enrollment.

#### Policy 5.14

Urge the University to involve residents, community organizations, students and staff, City government and University administration in long and short range planning for University-related housing.

The University should carry out its housing planning process in cooperation with the City to produce greater understanding of the potential effects of various proposals and to increase the likelihood of more creative solutions.

#### Policy 5.15

Seek agreement from the State, the University and other institutions to compensate the City for services provided to the University and other institutions and the loss of revenue resulting from University and other charitable property in Berkeley.

The City should use every means available to it to have the State, University, and other institutions pay for the cost of services which the City provides to students, employees, and other institutionally-connected people since these institutions do not contribute to City property taxes as other economic entities do. The tax-exempt status of these institutions imposes a burden on Berkeley residents that is reflected in their housing costs.

#### Policy 5.16

To expand housing available to students, encourage the University and other institutions to keep their



residential buildings for housing; and to convert back to residential use those residential buildings now being used for other purposes; to convert to residential use any unused buildings where feasible; and to provide additional housing on University-owned vacant land.

In the past, the University departments have converted many residential structures to office use. The housing supply should be increased by returning these to residential use and refraining from such conversions in the future.

Policy 5.17

Develop high level on-going communications with the University for review and negotiations of potential changes in University programs, enrollment, staff or policies when these impact Berkeley's housing so that potential problems can be anticipated and resolved in a timely way.

## EQUAL ACCESS TO HOUSING OPPORTUNITIES

GOAL 6: ALL RESIDENTS SHOULD HAVE EQUAL ACCESS TO HOUSING OPPORTUNITIES, FINANCE AND INSURANCE ON A NON-DISCRIMINATORY BASIS.

Discrimination has limited the opportunities of many Berkeley residents to obtain housing. This has affected racial and ethnic minorities, students, families with children, households headed by women, the disabled and persons living unconventional lifestyles. Households in some areas of the City have found mortgage financing or fire insurance unavailable or prohibitively expensive. As a consequence, Berkeley had adopted the goal that all residents should have equal access to housing opportunities on a non-discriminatory basis.

### Policy 6.10

Añt to eliminate housing discrimination based on race, religion, sex, sexual preference, ethnic background, age, physical disability, families with children, or source of income. As long as occupancy is consistent with density and environmental standards, discrimination should not be allowed based on marital status, student status or household makeup.

Berkeley bans most discrimination as stated in the policy. The policy is not, however, intended to inhibit making reasonable inquiries to determine if a prospective buyer or tenant will meet financial obligations, take reasonable care of the property, and be considerate of neighbors.

#### Policy 6.11

Allocate housing assistance on the basis of relative need on a non-discriminatory basis.

Eligibility for housing assistance programs should be based upon relative needs such as low income, Berkeley residency, dislocation, overcrowded housing or unsafe housing, without discrimination based on the factors listed in Policy 6.10. In the case of housing rehabilitation assistance, the location of the property in the target neighborhoods is also a determining factor.

#### Policy 6.12

Aggressively seek to make reasonably priced financing and insurance available to residential properties in all parts of the City.

High costs for financing or insurance inhibit the purchase and improvement of homes in some neighborhoods. Berkeley can encourage the provision of financing for the purchase and improvement of homes by direct discussions with lending and insuring institutions and programs which demonstrate that all areas of Berkeley are reasonable investment risks.



### Policy 6.13

Promote equitable, cooperative and responsible exercise  
of rights and responsibilities by landlord and tenants.

Both renters and property owners benefit from cooperative relationships. Model leases, mediation services, educational programs and counseling can contribute to a climate of mutual understanding and respect.

Administration of rent stabilization requirements should be straightforward and consistent. The City will keep owners and tenants informed of their rights and responsibilities and mediate differences in a way which promotes compliance with the law and cooperation between parties.

## PUBLIC PARTICIPATION IN HOUSING DECISIONMAKING

GOAL 7: BERKELEY SHOULD EXPAND THE ROLE OF NEIGHBORHOOD RESIDENTS  
AND COMMUNITY ORGANIZATIONS IN THE PLANNING PROCESS,  
INCLUDING PLANNING FOR HOUSING CONSERVATION AND  
DEVELOPMENT.

Berkeley recognizes that the persons affected by actions in their community ought to participate in the planning process. When there is a history of cooperation with residents, public and private actions contribute to a common plan that is supported by neighborhood residents and the City. An on-going planning process which integrates the participation of neighborhood residents and community organizations into City decision-making in a systematic way can contribute greatly to housing conservation and development.

### Policy 7.10

Encourage the involvement of neighborhood residents and  
community organizations in planning for housing  
conservation and development, parks, public facilities  
and services and transportation.

### Policy 7.11

Enlarge and strengthen the role of neighborhood residents  
and organizations in planning and development decisions  
that affect them.

## Policy 7.12

Encourage mutual self-help activities which further housing and community maintenance and which increase the ability of residents to manage their housing economically.

The City shall undertake programs to encourage residents individually and in cooperation with each other to repair and maintain their properties so as to minimize the cost of housing conservation.

## CHAPTER VI - IMPLEMENTATION PROGRAM

	<u>Page</u>
Introduction.....	VI-2
Housing Strategies.....	VI-2
Housing Affordability.....	VI-2
Maintenance of Existing Housing.....	VI-5
Special Needs.....	VI-9
Expansion of Housing Supply.....	VI-12
Equal Access.....	VI-14
Public Participation.....	VI-14



## IMPLEMENTATION PROGRAM

### Introduction

This chapter will describe current and proposed actions appropriate to the needs, resources and constraints of Berkeley today. They are described here in terms of their purpose and characteristics. This Housing Element will, however, be supplemented with a regularly up-dated Housing Strategy which will detail the allocation of resources and specific short term objectives of individual programs and activities.

This Chapter will indicate how Berkeley will seek to meet its objective for 1611 additional housing units between 1980 and 1990. Some of this housing is already occupied or under construction, as indicated on the chart "Additions to the Housing Stock, 1980-1990" at the conclusion of this Chapter.

### HOUSING STRATEGIES

### Housing Affordability

#### 1. The Section 8 Program

This federally subsidized program is the nation's largest attempt to deal with the housing needs of its low income population. In Berkeley, the Section 8 Existing Housing Program is administered by the Housing Authority which has an allocation of 1454 Section 8 Certificates which allow low-income households to receive a rent subsidy.

Eligible families may use the certificate for any unit in Berkeley that the owner is willing to rent, so long as the unit is the right size for the family and meets the program's housing quality standards and fair market rent requirements. Once a unit is put on the program the family pays a portion of the rent equal to approximately 30% of the gross family income, while the remainder is paid by the Housing Authority. The vast majority of the Section 8 Program participants are very low income; 75% are black female-headed households.

Some increases in the number of Section 8 certificates are expected. Increases in allocation are dependent first on federal policy to augment funding for the program and secondly on the City's ability to utilize

additional allocations. Where appropriate, issuance of certificates is coordinated with other programs, such as rental rehabilitation.

## 2. Rent Stabilization and Eviction Control

The rent stabilization and eviction control program is the largest City program designed to affect affordability and avoid displacement; the current law affects the entire Berkeley renter population consisting of 26,535 households. The first rent stabilization measures were established in 1978 with the passage of Measure I. A City Council resolution continued to restrict rent increases and initiated eviction control as well until the time that the Rent Stabilization and Good Cause for Eviction Ordinance was passed by voters in the June 3, 1980 election. (Measure D). This Ordinance (No. 5261 N.S.) for the first time required rent registration and established an appointed Rent Board. Measure D was amended in June 1982 election by Measure G which made the law applicable to previously exempt 3 and 4 unit properties and reduced the causes justifying evictions. Additionally, a Charter Amendment (Measure N) passed in the same election established an elected Rent Board with its first members elected in June 1984.

Berkeley's rent stabilization law is one of the strictest in the nation and requires that non-exempt units be registered with the Rent Board. A base rent is established for each individual unit (in the majority of the cases the base rent is the legal rent in effect in May 1980). There are only two ways that rents can be changed from that base level: First, through a general rent adjustment allowed by the Rent Board. That general adjustment fluctuates from year to year and is based on such factors as general changes in utility costs, property taxes, maintenance and operating expenses; second, through petitions to the Rent Board for an individual rent adjustment.

Petitions can be turned in by either landlord or tenant. The rent stabilization law does not allow any rent increases unless the unit is properly registered. Tenants can also withhold rent if the unit has not been registered or an illegal rent is being charged.

Eviction control which has been in effect since 1980 is an integral part of the Rent Stabilization Program and of major importance in reducing displacement. The eviction control program is designed to prevent arbitrary evictions by limiting the valid reasons for evictions. Principal of these are: non-payment of legal rent, causing damage to the property and refusing to rectify it, disturbing other tenants, and violating the legal terms of the lease. Although evictions are under the jurisdictions of the Courts, before an owner can initiate an unlawful detainer action he/she is required to be registered with the Rent Stabilization Office (if covered by the Rent Stabilization and Good Cause for Eviction Ordinance) and must notify the Rent Stabilization Office of any "notices to vacate" or "unlawful detainer actions" served. Staff will

implement monitoring procedures of eviction cases and plans to coordinate with the courts to insure that the eviction control law is properly implemented.

### 3. Energy Programs

- Housing Weatherization Services

The City of Berkeley, through the Young Adult Project, offers household weatherization services to eligible low-income Berkeley residents, seniors, and disabled persons. Services provided include: attic insulation, installation of water-heater blankets, caulking, weatherstripping, heating duct wrap, and installation of low-flow showerheads; often there is no cost for materials as well. Thus, for little or no expense a household can reduce its energy costs considerably. This project assists approximately 350 households per year.

- Energy Costs Assistance for the Low Income

Through this program, 1,374 low-income residents have been helped in paying their utility bills and/or have received kits containing energy-saving devices such as insulation blankets for hot water heaters, low-flow showerheads and weatherstripping materials. Funding for this program is through the California State Office of Economic Opportunity and is expected to be continued in the future.

- Energy Bank

The Energy Bank provides supplemental energy conservation measures to low income households. After performing an audit of home enrgy use, the Bank provides any of 17 conservation measures appropriate to reducing consumption. In addition to weatherization, measures may include pipe insulation, furnace burner replacement, flue dampers, and storm windows and storm doors. The program is administered by the City with funding from the Department of Housing and Urban Development. The Bank served some 100 residential units in 1983-84 and anticipates serving approximately 150 in 1984-85.

- The Residential Energy Conservation Ordinance

Adopted in 1981, this ordinance requires that all residential structures be brought up to specific energy conservation standards before they are sold or exchanged. These standards refer to ceiling insulation, furnace ducts sealed against leaks, water heater insulation blankets, low-flow shower fixtures, and water pipe insulation. Real estate agencies are required to disclose information about this requirement. However, sellers are not obligated to spend more than \$1,000 for a single family house, or \$0.50 per square foot for a structure containing two or more units. The program is implemented and monitored through the City's Codes and Inspection Divison. Approximately 800 units per year are affected by this



ordinance. In many cases, owners can finance the improvements with the Zero Interest Payment (ZIP) administered by the Pacific Gas and Electric Company and are also allowed discounts on federal and state income taxes.

- Community Energy Services Corporation

The Community Energy Services Corporation is a new City of Berkeley project designed to combine energy conservation with economic development. The Corporation is anticipated to enter its start up phase this year. It will combine development of alternative energy sources through the Municipal Solar Utility and sale of weatherization services through a Weatherization Enterprise. The Corporation hopes to raise up to \$250,000 in private financing for alternative energy projects. The Corporation will make energy conservation services available to the full range of Berkeley households.

#### 4. Limited Equity Co-Operatives (LECs)

A limited equity co-operative is a legal and financial arrangement that falls halfway between renting and home ownership. LECs make housing affordable by allowing participants to take advantage of "economies of scale" and the tax benefits made available to homeowners. The focus of LECs is on providing affordable housing and not investment opportunities. Returns on investment are restricted in order to assure housing affordability for future co-op members. In the coming years the City will initiate a campaign to inform the public about Limited Equity Co-ops both in terms of new housing and conversion of existing housing. As part of that campaign an informational handbook will be prepared for general distribution. The City will be considering measures to encourage and facilitate the undertaking of LECs. Measures may include making available detailed information and referral, providing seed monies for initiating co-ops, providing technical assistance waiving housing permit fees, and providing rehabilitation assistance in conversion projects.

#### 5. Coordination of Housing and Economic Development

Economic Development in Berkeley and surrounding communities increases demands for housing. When development produces a preponderance of office and professional jobs, demands on the housing stock escalates rents and housing prices. Gentrification of neighborhoods -- the replacement of lower income households with upper income households -- results.

Berkeley recognizes the importance of economic development to provide jobs for its unemployed and under employed and to expand City revenues to support needed services. The development must be combined with support for expansion of affordable housing if our movement toward a community made up of only the rich and poor is to be stemmed. All economic development must be analyzed for its potential housing impacts and potential mitigation measures. Carefully planned, such development may be



able to contribute to reducing the housing emergency rather than increasing it.

## MAINTENANCE OF THE EXISTING HOUSING STOCK

### 1. Regulatory Measures

#### ● Demolition Control

The City's Zoning Division and Codes and Inspection Division will continue to implement controls which allow demolition of a residential building only if the Board of Adjustments, or City Council upon appeal, determines that the demolition would not be detrimental to the housing needs and public interest of the affected neighborhood and the City; that appropriate relocation housing is provided; and that either the building to be removed is hazardous, unstable, or unrepairable or that its demolition is necessary to enable construction of permitted new housing.

#### ● Non-Residential Conversion Controls

The City's Zoning Division will continue to implement Section 15.1-1 of the Zoning Ordinance which prohibits the loss of any legal dwelling unit through conversion of a building from residential to non-residential use, unless a use permit is secured. At least one of the following findings must be made before a use permit can be granted:

- (1) That the elimination or reduction of the dwelling unit or units would not result in a reduction of housing supply essential to the well-being or housing needs of the City or of persons residing in the neighborhood in the vicinity of the building involved; or
- (2) That the dwelling unit or units are situated in an environment unsuitable for residential occupancy, and that suitable housing will be made available to present occupants; or
- (3) That the application seeks to eliminate one or more units which, at the time of the application, exceed the number of residential units permitted by the residential density requirements applicable to the district within which the subject structure is located; or
- (4) That such consolidation will result in the restoration of the residential density for which the structure was originally constructed.

#### ● Condominium Conversion Control

Unless the City's overall vacancy rate is 5% or higher, the City Condominium Conversion ordinance prohibits acceptance of applications to convert rental residential units to condominiums, community apartments or stock cooperatives. (Over the last 10 years, the City's vacancy rate has

remained at about 2%). The law does, however, permit conversion to a limited-equity cooperative.

## 2. Rehabilitation Assistance

### ● Voluntary Housing Rehabilitation

#### Emergency Repair Project

This City-administered program assists eligible property owners who wish to correct emergency conditions and other housing code deficiencies found in structures located in the Neighborhood Strategy Area (NSA).<sup>\*</sup> Owners receive technical assistance and financing through the City's Municipal Loan Program, funded with CDBG monies, at extended terms and below market rates.

#### Seniors and Physically Disabled Project

The Seniors and Physically Disabled Project is involved in correcting housing code deficiencies and providing general property improvements through the City's Municipal Loan Program for 1-4 unit properties located in the NSA which are owned and occupied by eligible elderly and disabled residents.

#### Section 312 Program

This HUD program administered provides direct rehabilitation loans at 3%, 6% and 9% interest rate for up to 20 years. The loans are used to bring properties up to local code standards. To be eligible, properties must be located in the Neighborhood Strategy Area. Although there are no applicant income limits, priority is given to low and moderate income households (95% or less of county median income). The Section 312 program uses a complicated set of requirements to limit loan amounts on different types and sizes of structures. Generally, the limit is \$27,000 per unit for residential properties.

#### Mortgage Revenue Bonds

The current high cost of financing is one of the major obstacles preventing owners from rehabilitating their properties. Federal and State laws authorize local governments to issue tax-exempt mortgage revenue bonds to finance housing rehabilitation. The City is presently preparing to issue 12 million dollars in bonds to finance 90-100 units for first-time buyers. At least 60% of funds must be

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\* See map at end of Chapter for boundaries. Area designated for concentrated housing and social service program.

used for new construction or purchases involving substantial rehabilitation.

#### Lender's Joint Venture Partnership Strategy

The City will explore a strategy to encourage increased lending to individuals and areas that presently do not have full access to credit for rehabilitation. This strategy could include the following components: use of more flexible appraisal underwriting criteria by lender; use of Community Reinvestment Act to encourage lenders to provide homes in higher risk areas of Berkeley; a policy placing conditions on the granting of City use permits for new banks or branches that would require the lender to assist with City housing programs; use of City investment funds to further City housing goals; and a linked deposit system.

### 3. Housing Code Enforcement

- Residential Rental Inspection Program

The Residential Rental Inspection Program (RRI) is a systematic code enforcement program for rental units which combines mandatory inspections with flexible enforcement in order to minimize hardship on both property owners and renters. Although the RRI program is currently operating in the Neighborhood Strategy Area, it is expected that non-NSA areas will be phased-in. Based on the current rate of completion, the RRI will clear all housing code violations in approximately 500 units/year.

- Housing Complaints Program

The City's Housing Complaints Section is involved in responding directly to Berkeley residents who express concerns about the lack of compliance with the housing and other codes. Approximately 450 complaints are received every year by City staff, which require enforcement of the Housing Code and clearing the violation. In about 10 cases per year, correction of the defect which caused the complaint results in the entire dwelling complying with code.

### 4. Technical Assistance and Self-Help Rehabilitation

- Tool Lending Library

To assist Berkeley residents who are repairing and remodelling their homes, the City's Tool Lending Library lends tools and equipment, and provides instructional manuals, and basic technical advice regarding home maintenance and repair work to Berkeley residents. There is no charge for NSA residents. Approximately 12,000 households per year visit the tool lending library and borrow tools.



o Over-The-Counter Assistance

City staff, as part of its regular duties, provides extensive over-the-counter technical assistance to people who come to the City with questions on local code requirements. Approximately 30 descriptive brochures are available which show how to do certain repair work or make specific home improvements. Approximately 600 people, including building contractors, receive technical assistance from City staff on an annual basis.

5. Landmarks Preservation Program

Berkeley has a rich heritage of historical and architecturally significant structures. In order to preserve this valuable resource, the City adopted a Landmarks Preservation Ordinance and established a Landmarks Preservation Commission to identify and designate significant structures. Approximately 70 structures, including 2 historic districts, have been designated since the adoption of the Ordinance in 1974. In order to preserve these landmarks, the Commission is authorized to review all exterior (and in the case of publicly owned buildings, the interior) alterations to these special buildings so that repairs or improvements are carried out in a way that preserves or restores the building's integrity. The tax benefits that become available through designation can be an effective method of encouraging preservation.

6. State Deferred Payment Rehabilitation Loan Program

Berkeley administers the California State rehabilitation program which provides low income property owners of 1-4 unit buildings within the Neighborhood Strategy Area with deferred payment loans at 3% interest rate repaid after 5 years (the elderly repay the loan upon property sale or transfer). The loan limit per unit is \$10,000 (\$20,000 per unit for a room addition to alleviate overcrowding) with a maximum of \$100,000 for a rental property. Although the City has thus far loaned \$170,000 to rehabilitate 18 units, the future funding outlook for this program is uncertain.

7. Vacant Structures

There are currently about 63 vacant, boarded-up structures throughout the City. These structures have remained outside of the housing marketing for a variety of reasons. Resources permitting, the City's Conservation and Development Division will provide rehabilitation assistance to owners to return this housing to the housing market. If all of these structures are rehabilitated, about 100 units will then become available to new households.



## SPECIAL NEEDS

### 1. Expansion of Programs Serving Black Families

Many Berkeley housing programs can and do assist Black families. These include CDBG rehabilitation loans, rental inspection program, technical assistance and Section 8 housing subsidies.

Coordination of these programs will increase their benefits to Black families. Increased publicity and one-to-one services from staff and community groups who are familiar with the range of support available and can lead individuals to assistance most relevant to their circumstances.

New initiatives can give priority to serving this segment of the population. Development of Limited Equity Cooperatives, support to non-profit sponsors of low and moderate income housing, and expanded mutual aid programs can parallel economic development activities which increase career opportunities for these families.

### 2. Seniors and Physically Disabled Housing Rehabilitation Loans

The City provides subsidized municipal loans to seniors or physically disabled homeowners who are low income or cannot procure private financing to rehabilitate their properties to bring them up to code and to make necessary changes to meet their particular needs. To be eligible, the owner's property must be within the Neighborhood Strategy Area (NSA). A loan maximum of \$20,000 allows even serious code deficiencies to be addressed. Interest rates are determined by the borrower's ability to pay. The program also provides a variety of free services such as loan packaging, property inspection, write-up or work specifications and estimate of costs, assistance with contractor selection, design advice, and job monitoring.

### 3. Housing Accessibility for the Disabled

More than 6,000 with disabilities currently reside in the Neighborhood Strategy Area and there is currently an acute shortage of housing that is accessible to the disabled. The City has funded the Center for Independent Living (CIL) to operate its Ramp Construction Project. Under this project, low-income disabled and elderly persons are provided financial and technical assistance to make their housing wheelchair accessible by constructing ramps.

### 4. Section 8 Aftercare Program

This State-sponsored program is administered by the Berkeley Housing Authority and is specifically designed for the physically and developmentally disabled. Eligibility requirements for the Section 8 Aftercare Program are similar to those for the Section 8 Existing Housing Program; however, the applicant must be referred by a recognized agency

dealing with the disabled. There are currently 14 households under this program. Due to Berkeley's housing shortage, however, Certificate holders have a difficult time finding housing that meets Section 8 requirements. In addition, because of their disabilities clients need special assistance in find housing. Unless that special assistance is made available, it is unlikely that additional eligible units will be found preventing increase in allocation.

#### 5. Emergency Shelter for the Homeless

The City encourages housing for the homeless by financially assisting a number of non-profit private agencies which provide emergency shelter. Agencies funded are:

Berkeley Support Services -- provides emergency shelter for approximately 60 persons for very low income persons completely without housing. This agency expects to provide temporary housing for an additional 35 persons during the next five years.

Women's Refuge -- has the capacity to shelter 18 women and children who face crisis situations.

Bonita Center -- this halfway house shelters up to 15 youths who are mentally or emotionally disturbed.

Berkeley Youth Alternative -- provides crisis housing for up to 10 youths between the ages of 12 and 17 years of age.

The City expects to continue encouraging, endorsing, and facilitating the creation of additional emergency shelters and improvement of existing ones.

#### 6. Housing Services Project

Funded since the inception of the Community Development Block Grant Program in 1975, this project provides informational support to the City's housing projects through the development of handbooks, brochures, flyers, and other written materials to make the public aware of City housing programs. The project also provides information and referral to the public on housing-related questions, including tenant/landlord matters. The City expects to continue funding this type of activity in the future.

#### 7. Relocation Benefits

Relocation benefits and services are mandated by federal and state law and local policy in cases where persons are displaced as a result of government action. In the last five years the trend has been to expand the categories of persons eligible for relocation benefits, although the amount of payment received by displacees has remained the same. Among the newly protected categories are: displacement (permanent and temporary)

resulting from the federal Section 312 Program; tenants who are displaced or whose rent is increased as a result of government assisted housing rehabilitation, code enforcement or housing demolition programs; at the local level, benefits have been extended to tenants who would be displaced as a result of City disposition of property. No major projects are planned at the time by the City of Berkeley which would result in displacement. The major focus of the relocation program in the next five years will be to continue providing relocation assistance to both tenants and owners for temporary moves while their units are being rehabilitated through a City program.

#### 8. University Student Housing

The University's student population of almost 30,000 has a major impact on the Berkeley housing market. Approximately two-thirds of students live in Berkeley. These are housed in:

- University operated dormitories and apartments
- Organized student housing operated by the University Student Cooperative Association, fraternities and sororities
- Private housing (parents and families, apartments and houses, rented rooms, etc.)

The City works with and encourages the University to identify and develop additional student housing which does not adversely affect housing opportunities for other Berkeley residents. The 1981 agreement on re-use of the site of the California Schools for the Deaf and Blind for student faculty, elderly and disabled housing was an example of cooperative planning.

In addition to direct housing services, the University operates a housing office which helps students and faculty to locate housing. Information on rights and responsibilities of students as tenants is also available.

#### EXPANSION OF THE HOUSING SUPPLY

To the extent that Berkeley can expand its housing stock, pressure on the existing stock is reduced. Housing becomes available at reasonable costs to those in need of housing.

Expansion is difficult for a number of reasons. Berkeley is a fully built up city with few sites for new housing. Many of the sites are on hilly sites and not well served by public transportation. Sites are usually small (under .5 acre) and often oddly shaped. Some sites in commercial districts are most suitable for mixed use development.

Berkeley residential neighborhoods are prized for their modest level of development. In recent years, the adult population has grown while the number



of children has declined sharply. Results include more car use and parking on local streets in neighborhoods constructed before widespread auto ownership and use. Many hilly locations are reached by narrow winding roads which already provide poor emergency access. Additional units in these areas must be carefully controlled to achieve a balance between the number of residents and the services and facilities to meet their needs.

To reach expansion to meet Berkeley's share of the regional need, the following approaches have and will be utilized:

1. The private housing market will be expected to produce almost all of the rental and owner occupied housing needed for above moderate income households and approximately 15% of the housing expansion for moderate income households. In this latter category, some will be supported with below market loans financed with proceeds of mortgage revenue bonds.
2. Surplus publicly owned sites will be used for new housing for a variety of income levels. Potential sites include the Santa Fe right-of-way, surplus school district property and several University owned sites being evaluated for long term potential.
3. Public/private partnerships have and will continue to be used to meet low and moderate income housing needs. Projects include Amistad House (for the elderly), University Avenue Housing (for various household types), Rochdale II (student housing) and the soon to be constructed housing for seniors and disabled on the site of the Schools for the Deaf and Blind. Development on these projects was financed and carried out by private organizations (often non-profit). The City and other public agencies supported projects with assistance such as provision of sites, loans for site acquisition and pre-development costs, relocation services, fee waivers and/or expedited processing. Some tenants also received on-going support through Section 8 rent subsidies.
4. Cooperation with private individuals and public agencies (such as the University) in the planning and development of housing to serve low and very low income residents. Close coordination links City programs such as Mortgage Revenue bonds, provision of Section 8 subsidies, combined site use (as the combined student and senior disabled housing on the Deaf/Blind School Site), timely technical assistance, short term loans and housing services with developers of needed housing.
5. The City reviews its Ordinance provisions and fee requirements in an on-going process to insure they are facilitating the housing construction needed. Intensive study is currently going on to determine where and how second units can be accommodated to meet housing needs without adverse impacts on existing neighborhood environments. Standards are being reviewed to insure whatever is



allowed is compatible with environmental protection and its immediate surroundings. Modifications to the Zoning Ordinance may involve revised regulations for second units (which are now allowed for family members) and/or reclassification of some properties to restrictive 2 family districts. Some units will continue to result from already permitted rental rooms and conversions of buildings in multi-family districts to accomodate more households.

6. In recent years, major non-residential probjects have been proposed including proposals for the Golden Bear Food site in Downtown Berkeley and the Waterfront properties of Santa Fe. Its review of such projects includes evaluation of housing demand impacts and exploration of opportunities to obtain developer assistance to mitigate existing housing problems and those potentially created by a project.

The chart at the end of the chapter identifies those projects that collectively will meet Berkeley's goals of 1611 new housing units between 1980 and 1990. These units have been allocated in accordance with the needs determined by the Association of Bay Area Governments by Income Level and Renter/Owner Mix. ABAG projected a housing need in Berkeley of 712 single family and 899 multiple units and mobile homes. Single family homes are becoming increasingly costly to build in Berkeley due to lack of sites and hilly parcels. Experience with several projects (e.g., Oceanview Gardens, BHA Scattered Site units) has demonstrated that lower density multiple units projects can provide excellent family housing when located in neighborhoods of comparable low densities. In order to achieve the goals of units for all income levels and the high proportion of rental units needed in Berkeley, the goal for single family homes was reduced to 493 and the goals for multiple units and mobile homes increased to 1118.

The chart shows the general location of projects. Student and elderly-disabled housing is centrally located close to the campus, transportation and services. Most private housing is in the hills with some multiple units in the other areas of the City. Most publicly sponsored projects are in the Neighborhood Service Area where the City is concentrating its Community Development Block Grant programs. The map following the chart shows the location of each area in the City.

#### EQUAL ACCESS TO HOUSING OPPORTUNITIES

Federal and state laws prohibit discrimination based on race, color, religion, national original, ancestry, sex and marital status, as well as against blind, visually handicapped or physically disabled. In addition, the City of Berkeley has prohibited discrimination against families with children in the area of rental housing and discrimination on the basis of sexual preference. Anti-discrimination ordinances are enforceable through civil action. Although the City is not directly involved in enforcement, it has provided some funding to the fair housing agencies to provide counseling and assistance in this area.

The problem of housing discrimination against families with children has now reached major proportions in the State of California and legislation has been proposed at the state level to deal with the problem. In Berkeley, where protective legislation already exists, the Housing Rights for Children Project assists those facing discrimination in this area by providing information, counseling, and free legal assistance. The project is sponsored by Bananas, Inc., a non-profit child care referral agency. Those served are primarily low-income and female heads-of-households. As advocates of children's rights, the project supports fair housing legislation and is actively attempting to have the City strengthen its ordinance prohibiting discrimination against families with children.

The Housing Rights for Children Project also assists families with children by providing a free shared-housing referral service. This service has been primarily used by single female heads-of-household. In the coming years the project staff is planning a public awareness campaign to inform South and West Berkeley residents of their housing rights and the shared-housing alternative available.

#### PUBLIC PARTICIPATION IN HOUSING DECISION-MAKING

Berkeley has continually sought to expand and refine the opportunities for public participation in decision-making. Resident concern about what happens in his or her individual neighborhoods is usually more immediate than any other. To insure that decisions incorporate the values and insights of individual residents the City carries out a variety of activities to inform residents and solicit their comments and suggestions.

Participation begins with the primary policy directions represented by the City's Master Plan. For major new policy directions, special committees are organized. For example, a Housing Committee worked three years developing the 1977 Housing Element.

Housing Programs are also subject to neighborhood and community review. A Project Area Committee has worked over many years with the Redevelopment Agency to prepare and implement the Oceanview Gardens project and to plan for the soon to be developed Delaware Street mixed use project and disposition of the remaining housing in the West Berkeley Redevelopment Project Area. The Housing Advisory and Appeals Board annually holds a series of public hearings on the allocation of the Community Development Block Grant funds. These culminate in a recommendation to the City Council which holds another hearing before final action is taken.

The City's Rent Stabilization Board holds hearings annually on proposed general rent increases. Hearings are also held on individual adjustments and adoption of procedures for administration of the ordinance. These provide Board members an opportunity to hear both landlord and tenant viewpoints before making decisions on general policy or individual cases.

Controls on private land through the Zoning Ordinance and Landmarks Preservation Ordinance also involve hearings with broad public notice. No new housing can be built in Berkeley without a hearing on its potential impacts on the location where it will be located. Both the time and extent of public notification has been expanded in recent years. Other proposals such as landmark designation, establishment of child care centers, exceptions to development standards and demolition of residential structures cannot be permitted without a public hearing.

Participation mechanisms are also evaluated for their effectiveness -- Do people know what is being proposed in time to think about it and comment? Do residents understand what is proposed and its implications? Does information supplied help? Is it easy for residents to participate, either as individuals or through organizations? How does public comment affect decisions? Can systems be improved to expand public understanding, facilitate participation and at the same time make decisions in a timely way?

In addition, participation is used to support local neighborhoods in the organization of neighborhood residents. Such organizations can be effective in planning for their neighborhood, organizing mutual self-help activities and representing the neighborhood's concerns to public bodies.



ADDITIONS TO HOUSING STOCK: 1980 - 1990

Project	Income Level Served				Occupancy		Housing Type		Population Served	Location	Status
	Very Low	Low	Moderate	Above Moderate	Owner	Rented	Single Family	Multi-Family			
Amistad House +		30	30			60		60	Elderly	Central	Occupied
Rochdale II +	10	13	13			36		36	Student	Central	Occupied
University Avenue (New) +	20	13				33		33	Family/Individual	Neighborhood Strategy Area	Occupied
Oceanview Gardens +	40	22				62		62	Family	Neighborhood Strategy Area	Occupied
BHA 14 Units Scattered Sites	14					14		14	Family	Neighborhood Strategy Area	Occupied
UC Stern Hall* +	20	20	15			55		55	Student	Central	Occupied
Single Family: Miscellaneous			29	371	400		400		Family	Most in Hills	20% Occupied 80% Projected
Multi-Family: Miscellaneous			20	80	85	15		100	Family/Individual	Various	20% Occupied 80% Projected
UC Dwight Derby Student Rooms and Faculty Apartments* +	143	113	64	72		392	2	390	Student/Family	Central	35% Occupied 65% Projected
Senior and Disabled Housing On Deaf/Blind School Site +	169					169		169	Elderly/Disabled	Central	Projected
West Berkeley Redevelopment +	4	2	34		34	6	18	22	Family/Individual	Neighborhood Strategy Area	Projected
Conversions/Second Units	53	46	51			150		150	Elderly/Students/Individual	Various	Projected
San Jose Right-of-Way/Other publicly-owned surplus sites	10	15	50	25	90	10	75	25	Family/Individual	Neighborhood Strategy Area	Projected
TOTAL	483	274	306	548	609	1002	493	1118			

\*Based on average student occupancy of units in private housing, residence hall beds are converted to units on the basis that 2 beds = 1 unit  
+ See Map 2

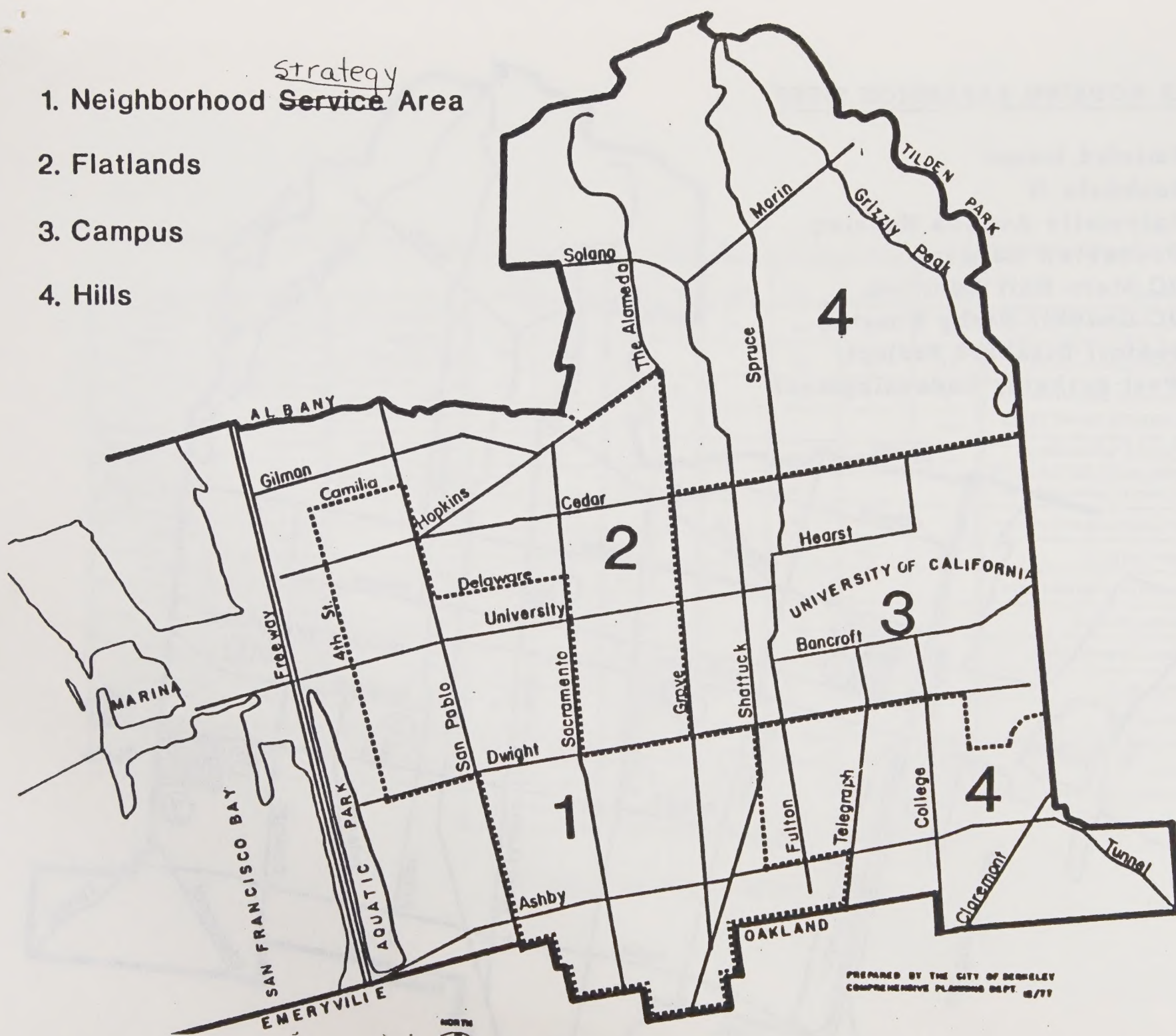


## MAJOR HOUSING EXPANSION SITES

1. Amistad House
2. Rochdale II
3. University Avenue Housing
4. Oceanview Gardens
5. UC Stern Hall Addition
6. UC Dwight/ Derby Housing
7. Senior/ Disabled Project
8. West Berkeley Redevelopment



- Strategy
1. Neighborhood Service Area
  2. Flatlands
  3. Campus
  4. Hills





## A P P E N D I C E S

Appendix A	<u>1983 Housing Element Studies</u>	
	General Population, Household, Employment and Income Characteristics and Trends	A- 1
	Special Population and Household Groups	A-14
	Housing Characteristics and Trends	A-25
	Housing Condition	A-30
Appendix B	<u>1980 Census of Population and Housing, Berkeley, California</u>	
	Summary Tape File 1A (100% Data)	B- 1
	Summary Tape File 3A (Sample Data)	B- 5
Appendix C	<u>Housing Needs Determinations, San Francisco Bay Region (ABAG)</u> (excerpts)	
	Introduction	C- 2
	Local Housing Needs Determinations	C- 3
	Local Government Review Process	C-15
Appendix D	<u>Student Housing and Transportation Survey, Univeristy of California, Berkeley, Winter Quarter 1982</u> (excerpts)	D- 1
Appendix E	<u>Housing Assistance Plan 1982-1985</u> for the City of Berkeley Prepared by the Department of Planning and Community Development	E- 1

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